

proceed to S. 2045, a bill to amend the Immigration and Nationality Act with respect to H-1B Non-Immigrant Aliens, shall be brought to a close.

The yeas and nays are required under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Hawaii (Mr. AKAKA) and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

The PRESIDING OFFICER (Mr. L. CHAFEE). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 97, nays 1, as follows:—

[Rollcall Vote No. 252 Leg.]

YEAS—97

Abraham	Feinstein	McConnell
Allard	Fitzgerald	Mikulski
Ashcroft	Frist	Miller
Baucus	Gorton	Moynihan
Bayh	Graham	Murkowski
Bennett	Gramm	Murray
Biden	Grams	Nickles
Bingaman	Grassley	Reed
Bond	Gregg	Reid
Boxer	Hagel	Robb
Breaux	Harkin	Roberts
Brownback	Hatch	Rockefeller
Bryan	Helms	Roth
Bunning	Hutchinson	Santorum
Burns	Hutchison	Sarbanes
Byrd	Inhofe	Schumer
Campbell	Inouye	Sessions
Chafee, L.	Jeffords	Shelby
Cleland	Johnson	Smith (NH)
Cochran	Kennedy	Smith (OR)
Collins	Kerrey	Snowe
Conrad	Kerry	Specter
Craig	Kohl	Stevens
Crapo	Kyl	Thomas
Daschle	Landrieu	Thompson
DeWine	Lautenberg	Thurmond
Dodd	Leahy	Torricelli
Domenici	Levin	Voinovich
Dorgan	Lincoln	Warner
Durbin	Lott	Wellstone
Edwards	Lugar	Wyden
Enzi	Mack	
Feingold	McCain	

NAYS—1

Hollings

NOT VOTING—2

Akaka Lieberman

The PRESIDING OFFICER. On this vote, the yeas are 97, the nays are 1. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2001—CONFERENCE REPORT

Mr. BENNETT. Mr. President, I submit a report of the committee of conference on the bill (H.R. 4516), and ask for its immediate consideration.

The PRESIDING OFFICER. The report will be stated.

The legislative clerk reads as follows:

The committee on conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H.R. 4516 making appropriations for the Legislative Branch for the fiscal year ending September 30, 2001, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The PRESIDING OFFICER. Without objection, the Senate will proceed to

the consideration of the conference report.

(The conference report is printed in the House proceedings of the RECORD of July 27, 2000.)

The PRESIDING OFFICER. Who yields time?

Mr. HARKIN. Mr. President, parliamentary inquiry: What is the floor situation right now? Is the floor open?

The PRESIDING OFFICER. The Senate is considering the conference report on H.R. 4516 under a time agreement.

Mr. HARKIN. Further parliamentary inquiry: What is the time? I am sorry.

The PRESIDING OFFICER. The Senator from Iowa does not have time under the agreement.

Mr. HARKIN. How much time is there?

The PRESIDING OFFICER. The managers have 2 hours equally divided. Senator MCCAIN has 1 hour; Senator THOMAS has 1 hour; Senator KENNEDY has 30 minutes; Senator WELLSTONE has 30 minutes; Senator DORGAN has 30 minutes; and Senator CAMPBELL has 30 minutes.

Mr. HARKIN. Mr. President, again, I still want to understand the parliamentary situation confronting the Senate right now. We are on the conference report on Treasury-Postal appropriations and legislative branch appropriations; is that not correct?

The PRESIDING OFFICER. That is correct.

Mr. HARKIN. There has been a unanimous consent entered into that set a time limit on this bill and the number of speakers, and their time is also set.

The PRESIDING OFFICER. That is correct.

Mr. WELLSTONE. Mr. President, will the Senator yield for a second? If the Senator needs time, I will give some of my time to the Senator.

Mr. HARKIN. Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. CRAPO). The Senator from Utah.

Mr. BENNETT. Thank you, Mr. President.

Again, to clarify the situation, I understand that we are now engaged in 6 hours that will lead ultimately to a vote on the conference report on the legislative branch appropriations bill; is that correct?

The PRESIDING OFFICER. The Senator from Utah is correct.

Mr. BENNETT. I understand that I have 1 hour under my control.

The PRESIDING OFFICER. The Senator is correct.

Mr. BENNETT. I hope that hour will not be necessary. I am prepared to deal with it. I am prepared to stay on the floor during the hours that are allocated to other Members of this body. But I hope we can move this more rapidly than the 6 hours.

This is my fourth year as chairman of the Legislative Branch Subcommittee and the second year that I have had the privilege of serving with Senator FEINSTEIN as the ranking member.

I want to begin this report by thanking Senator FEINSTEIN for her assistance in working on the conference report in the House. She, as you know, Mr. President, is a former mayor. That experience gives her a unique insight into some of the issues that we face in this subcommittee. So I pay tribute to her and to her staff and to the professional way in which she has handled her responsibilities.

In our final session of the conference, the question was raised by Mr. OBEY in the other body as to whether or not there would be additional legislation added to the conference report. I told him at the time that I knew of no such plan or program. I spoke accurately at the time. However, as things often happen around here, changes did occur under the sponsorship of the leadership of both Houses. As a consequence, the conference report is somewhat expanded from that which was negotiated.

Division A of H.R. 4516 contains the conference agreement for the legislative branch appropriations for fiscal year 2001, and additional funding for the credit subsidy which supports the FHA multi-family housing insurance programs. Provision B contains the conference agreement for the Treasury-general government appropriations and repeal of the excise tax on telephones.

This bill has attracted attention, and the allocation of time that has been set up around this bill is demonstrated by the time under the control of Senators who have nothing to do with the Appropriations Subcommittee on Legislative Branch and who presumably will talk about other issues than those that are directly connected with the legislative branch appropriations.

I will limit my comments to the conference agreement on the legislative branch and defer to the other subcommittee chairmen and other Senators who will address the funding that is contained in this bill under their jurisdiction.

This conference agreement appropriates \$2.53 billion for fiscal year 2001, which is approximately a 1.6-percent increase over the funding for the fiscal year 2000 level, including the supplemental funding.

Both Senator FEINSTEIN and I are proud of the fact that we have kept the increase at such a low level, as we have tried to be as responsible as possible in allocating funds for the legislative branch.

We spent a great deal of time going over the accounts and the increases that agencies have had over the last 4 years to find where we could best and most fairly cut or hold down expenditures without impacting employees.

Our goal was to ensure that funding would be provided for all current legislative branch employees. We have met that goal. No RIFs, or reductions in force, will be required under this agreement.

Another priority was to make sure that adequate funding is provided for

maintenance projects, particularly the projects that involve health and safety issues. I have long since learned in my business career that one of the quickest ways to temporarily show an increase on the bottom line is to cut back on maintenance. One of the surest ways to guarantee that you will get into trouble long term is to cut back on maintenance. We have tried to make sure that we didn't make that mistake here in our desire to hold down the total amount that was being spent.

We have also spent a great deal of time talking about security. We made sure that the resources were made available to the men and women who protect the Capitol, its visitors, and Members and staff.

I think we have accomplished all of our goals within the current funding restraints. The conference agreement on the legislative branch is a good agreement. I urge my colleagues to support it.

Before I yield so that Senator FEINSTEIN can make her comments, I would like to thank the staff for their hard work: Christine Ciccone, who acts as the majority clerk; Chip Yost, my legislative director; Jim English, who represents the Democratic staff director; Edie Stanley with the Appropriations Committee; and Chris Kerig from Senator FEINSTEIN's office, all of whom have performed yeomen service, staying up late nights and coming in the early morning to make sure those who get the spotlight on the television look better than perhaps we really are. I pay them that tribute and extend to them my personal thanks for all the work they have done.

I reserve the remainder of my time, and I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I acknowledge the comments made by the chairman of the Appropriations Subcommittee on Legislative Branch and indicate my agreement with them. I also thank the staff people he has duly mentioned, and I want to speak particularly to the funding of the legislative branch.

It is my understanding on our side of the aisle that there is deep concern about the addition of the Treasury-Postal bill on this bill, largely because it contains a measure which would use 25 percent of the non-Social Security surplus. I will leave that to others to discuss.

Senator BENNETT and I worked in a bipartisan way on the fiscal year 2001 legislative branch appropriations bill. I believe it is a very good bill. It addresses the critical areas of concern for the legislative branch and is in the best interests of those whom we serve. We worked very hard to ensure that each agency within our legislative branch was treated fairly, and even though we were not able to fully fund every agency's request, we made every effort to distribute the scarce resources as fairly

as possible. In some cases, we were able to make modest increases above last year's level.

I particularly note that the \$97.1 million which we are providing for the Capitol Police will fund 1,481 full-time equivalents, a level which conferees believe will enable the appropriate staffing at building entrances to ensure the security of our Capitol campus.

Additionally, in order to address some very critical needs, the conference agreement provides to the Capitol Police \$2.1 million in fiscal year 2000 emergency supplemental funds for security enhancements, and provides the Architect of the Capitol \$9 million in fiscal year 2000 emergency supplemental funds to move forward with a number of urgent building repairs.

This is my second year as ranking member of the Appropriations Subcommittee on Legislative Branch, working alongside our dedicated and distinguished subcommittee chairman, Senator BENNETT. Senator BENNETT is always very open and willing to discuss the various issues that arise in relation to this bill. He has been very accommodating to my concerns as well as to the concerns of other Members of the Senate. I know that firsthand. In fact, he never ceases to amaze me with his extensive knowledge of the various departments and agencies under the legislative branch—not only their basic structure and the function of those agencies but their legislative histories as well. It has been a great pleasure for me to work with Senator BENNETT on this bill.

I urge the adoption of the conference agreement.

I yield some time, with the approval of Senator BENNETT, to Senator HARKIN.

Mr. BENNETT. Will the Senator yield?

Mrs. FEINSTEIN. I yield.

Mr. BENNETT. With Senator HARKIN not currently on the floor, Senator BOND desires a few moments. Could we ask unanimous consent that Senator BOND be allowed to proceed with Senator HARKIN to follow?

Mrs. FEINSTEIN. I agree.

Mr. BENNETT. I yield to Senator BOND.

Mr. WELLSTONE. Could I ask my colleague whether, in the proper order, I could then follow Senator HARKIN, or after you two are done?

Mr. BENNETT. If you have the time, fine.

Mr. WELLSTONE. I have my own time.

Mr. BENNETT. That is correct, the Senator from Minnesota has his own time. We have no objection to his using the time in that sequence.

With that, I yield to Senator BOND such time as he may require.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BOND. Mr. President, I extend my deepest thanks and appreciation to the floor managers of the bill, the chairman and the ranking member.

I take the floor today because there is an issue that has been in and out of this body and is currently in conference negotiations. It is also going to be the highlight of the news probably tomorrow. I understand the Vice President is scheduled to talk about the HUB Zone Program. This is a program that I authored in the Committee on Small Business and this body unanimously accepted 3 years ago. I am concerned about it because HUB zones are another example of this administration's record of squandered opportunities.

To begin at the beginning, in 1997, the Committee on Small Business reported out legislation to create the HUB Zone Program—historically Underutilized Business Zones. This program seeks to use Federal contracting, Federal purchasing, to generate business opportunities and jobs in the areas of high poverty and high unemployment across the Nation.

We created incentives to get small businesses to locate and bring jobs to the distressed areas, areas that usually would not be considered good places to locate in general business judgment. These distressed areas lacked established customer bases, trained workforces. They have been out of the economic mainstream. But the HUB Zone Program was designed to bring small businesses into the area.

I came up with this idea after talking with a friend who headed up the JOBS Program in Kansas City. I asked him about bringing more job training programs to the inner city. He said: Stop sending us job training programs; we have trained people and retrained and retrained. He said: Send us some jobs. I thought: there's a good idea.

So we set up a program that was designed to reward small businesses located in areas of high unemployment. Unfortunately, when we proposed that idea, immediately the Clinton-Gore administration declared its opposition. I have a letter from the Administrator of the SBA, enclosing a statement of administrative policy:

... the administration remains concerned and opposed to ... provisions relating to HUB Zones.

The administration raised a red herring that has dogged the program ever since. The alleged concern was that HUB Zones would somehow harm the 8(a) Minority Business Development Program.

I ask unanimous consent the statement of administration policy be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SMALL BUSINESS ADMINISTRATION,
Washington, DC, November 6, 1997.

Hon. JOHN J. LaFALCE,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN LaFALCE: The Administration supports reauthorization of the programs of the Small Business Administration and supports House passage of S. 1139. The bill reauthorizes small business loans

which assist tens of thousands of small businesses each year and contributes to the vitality of our economy. This bill recognizes the importance of women and service disabled veteran entrepreneurs and makes permanent SBA's microloan program which helps those entrepreneurs who need small amounts of credit. While we are not in total agreement on all its provisions, we need this legislation to ensure that we can continue to properly serve our small business customers.

The Administration appreciates the improvement made in the version of the bill recently passed by the Senate which maintains the current preference for businesses participating in the 8(a) Business Development Program.

For the reasons stated in the attached Statements of Administration Policy, the Administration remains concerned about and opposed to S. 1139's provisions relating to HUB Zones, contract bundling, and the extension of the Small Business Competitiveness Demonstration Program. The Administration notes that the contract bundling provision is less burdensome than previous versions. Should this legislation be enacted, we will continue to work with the Congress to modify these provisions.

The Administration appreciates the opportunity to comment on the bill, and thanks the House and Senate Small Business Committees and their staff for working with us on this important legislation.

Sincerely,

AIDA ALVAREZ,
Administrator.

Enclosure.

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF MANAGEMENT AND BUDGET,

Washington, DC, September 8, 1997.

STATEMENT OF ADMINISTRATION POLICY

The Administration strongly supports reauthorization of the programs of the Small Business Administration and supports Senate passage of S. 1139, with the changes described below. The bill reauthorizes small business loan programs which assist tens of thousands of small businesses each year and contribute to the overall vitality of our economy. The Administration also supports the increase in the government-wide small business participation goal in federal contracting from 20 to 23 percent, following a phase-in period and in conjunction with the elimination of the Small Business Competitiveness Demonstration Program.

However, the Administration strongly opposes the bill's changes to current law on "contract bundling," as well as extension of the Small Business Competitiveness Demonstration Program and creation of the "HUD Zone" program. The Administration will seek amendments to address these and other concerns as addressed below.

Contract Bundling. The Administration is committed to maintaining a strong role for small businesses in Federal contracting, but is concerned that the proposed changes to the current law contract bundling provisions could deny taxpayers the cost savings and improved quality achievable by appropriate consolidation of Federal contract requirements. Therefore, the Administration urges the Senate to maintain current law, which provides sufficient authority and flexibility for the Administration to protect the important interests of small businesses.

Small business Competitiveness Demonstration Program. The Administration strongly opposes any extension of the Small Business Competitiveness Demonstration Program. Small businesses will substantially benefit from discontinuing this program and lifting the unnecessary paperwork and reporting burdens it imposes. Moreover, the

Administration believes that if this demonstration program is not allowed to terminate the scheduled, S. 1139's small business participation goal will be extremely difficult to achieve.

HUB Zones. The Administration strongly supports new efforts to promote economic development in the Nation's distressed urban and rural communities. The bill's HUB Zones provision, however, could weaken one of the strongest tools for achieving this objective by according the proposed program a contracting priority equal to that of the 8(a) program.

The Administration has already proposed regulations and is ready to begin pilots for the Empowerment Contracting Program (ECP), a new contracting program targeted at distressed communities. The Administration believes that these tests should be permitted to proceed, and that they will demonstrate the ECP's ability to accomplish the goals of the HUD Zones provisions at less expense and without affecting the 8(a) program.

Other administration concerns

The Administration will also seek amendments to:

Remove proposed restrictions on the SBA's ability to use Women's Business Center funding to finance the costs of administering the program. Removal of these restrictions is important to ensuring the effective execution of this program.

Maintain the ability of Small Business Development Center (SBDCs) to charge appropriate fees for counseling services provided under the program.

Authorize sufficient microloan technical assistance funding to support the projected growth in this program.

Reauthorize the Small Business Technology Transfer (STTR) Program for three years, rather than six. The three-year authorization proposed by the Administration is consistent with the authorization period for the companion Small Business Innovation Research (SBIR) Program, and provides a reasonable period for both achieving and evaluating program results.

Delete the proposed pilot program targeting technical assistance to certain States. This provision would divert scarce resources needed to administer the STTR and SBIR programs.

Pay-as-you-go scoring

S. 1139 would increase direct spending; therefore it is subject to the pay-as-you-go requirement of the Omnibus Budget Reconciliation Act of 1990. OMB's preliminary scoring estimates of this bill are presented in the table below. Final scoring of this legislation may differ from these estimates.

Pay-as-you-go estimates

[In million of dollars]

Outlays	
1998	1
1999	1
2000	1
2001	1
2002	1
1998-2002	5

Mr. BOND. The truth is, the 8(a) program has no reason to fear the HUB Zone Program. In fact, they should be able to work nicely together. The 8(a) program helps to seek minority programs own a greater stake in the economy by focusing on ownership and development of small business.

The HUB Zone Program, on the other hand, focuses on developing jobs and opportunities in distressed areas, many of them still minority communities.

One brings jobs; the other brings ownership. The two programs are two prongs of the same fork. HUB Zones in 8(a) should not fight with each other but focus on the common threads, such as contract bundling that hurt them and all other small businesses alike.

Yesterday, I was pleased to receive a letter from my friends at the National Black Chamber of Commerce in which they recognized how these two programs must work together. Harry Alford, Chamber president and CEO wrote:

To date, the Small Business Administration and other agencies have not aggressively pursued the utilization of this valuable vehicle—

Referring to HUB Zones.

There is a false perception that it is here to replace the 8a program. The author has been guilty of that same fear. In further research and reflection, it appears that the anxiety is unjustified. 8a is in the suburbs and nothing is in the inner city. It will be the HUB Zone activity that will spur a renaissance where economic activity is lacking. We must support the HUB zones.

Mr. President, I ask unanimous consent the letter from Mr. Alford be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL BLACK
CHAMBER OF COMMERCE,

Washington, DC, September 18, 2000.

Re 8a and HUB zone programs

Hon. KIT S. BOND,

Chairman, Senate Small Business Committee,
Washington, DC.

Hon. JOHN F. KERRY,

Ranking Member, Senate Small Business Committee,
Washington, DC.

Hon. JAMES TALENT,

Chairman, House Small Business Committee,
Washington, DC.

Hon. NYDIA VELÁZQUEZ,

Ranking Member, House Small Business Committee,
Washington, DC.

DEAR LEADERS OF THE SMALL BUSINESS COMMITTEES: The 8a program throughout the years has been a successful program. It has yet to reach maximum levels of utilization but there are few successful Black owned businesses today that have not gone through the 8a program during their developmental years.

However, there is something the 8a program has been unable to address and that is turning around the economic plight of our distressed inner cities and underdeveloped rural communities. The vast majority of 8a firms are in suburban and developed neighborhoods. Their employees usually do not come from distressed or underdeveloped communities. The 8a program serves a particular need and should continue in its present form. What is needed is a better spread of activity. That is, most companies certified as 8a do not get contracts from the program. According to the latest GAO report, in 1998 over 50% of 8a contracts went to 209 firms, which is only 3.5% of the 6000 firms in the program. This needs to be improved.

In addition to keeping the 8a program intact, we must look at rejuvenating our inner cities and depressed rural communities. The key to that quest is the HUB Zone program. The HUB Zone legislation is valuable to the economic future of our targeted communities.

To date, the Small Business Administration and other agencies have not aggressively pursued the utilization of this valuable vehicle. There is a false perception that it is here to replace the 8a program. This author has been guilty of that same fear. In further research and reflection, it appears that the anxiety is unjustified. 8a is in the suburbs and nothing is in the inner city. It will be the HUB Zone activity that will spur a renaissance where economic activity is lacking. We must support the HUB Zones!

Therefore, the National Black Chamber of Commerce will begin a "roll out" marketing the HUB Zone program to municipalities throughout the nation. We will identify HUB Zones in these communities and certify HUB Zone companies and recruit companies to relocate in these zones. The HUB Zone program will rise through our infrastructure of 180 affiliated chapters located in 37 states. If the federal government will not hold sufficient workshops and properly market the program, we will. It is too important to hold on a shelf or at bay fearing it will cannibalize the 8a program. The two have different roles.

To ensure either program will not adversely affect the other, we propose the following. There should be a bi-annual report from the Federal Procurement Data Center (GSA) that will review the trends in contracting in both the HUB Zone and 8a companies. This review should test the prospect of HUB Zone contracts growing at a cost to 8a companies. If any such trend exists, the Small Business Committees must implement immediate redress. The first review can be due June 30, 2001.

We believe the above can be a win-win for both philosophies. We ask your consideration and hope the SBA reauthorization will be resolved in the near future. I will be happy to entertain any queries or participate in any meetings with your staffs. For the sake of small business, it is time to aggressively move on.

Sincerely,

HARRY C. ALFORD,
President & CEO.

Mr. BONDS. Mr. President, we resolved the issue of how 8(a) and HUB zones would interact in 1997, by directing that the programs should not compete with each other for contracts. We placed responsibility on the contracting officers to monitor both programs, and to have discretion to divert contracts to whichever program might be falling behind at a given moment. That way both programs can succeed.

We incorporated language to that end in our legislation, and included clarifying language in our committee report. The other body agreed to our revised language, and the President signed the HUB Zone Act into law on December 2, 1997. Everyone involved agreed to the final resolution of this matter.

Subsequently, the Clinton/Gore administration decided that the program they opposed was not so bad after all. In April of 1998, the White House put out a press release in which the Vice President announced an exciting new program, the HUB zone program, that would likely create 25,000 new jobs. To judge from their press release, the HUB Zone Act was a Presidential initiative that "built upon" a Presidential Executive order. Apparently no legislation was involved, which was news to those

of us who developed it, worked hard, and passed it.

The Vice President in his statement, however, overlooked one key fact, which was that HUB zone small businesses would have to wait nearly a full year before the program would start operating. It was not until late March of 1999 that SBA finally got the program off the ground and started taking applications. Even that occurred only after an exchange of several letters between my committee and the SBA Administrator. When we scheduled a hearing on SBA's budget request, SBA apparently decided they had better be ready to announce the program, so the Administrator came to the hearing ready to make that announcement.

That was exciting, but then more delay occurred. It took yet another year for SBA to process and approve 1,000 applications from HUB zone businesses. This is not nearly enough to meet the program's needs.

The HUB zone program called for 1 percent of Federal contracts to be awarded to HUB zone firms in 1999, rising to 1.5 percent in 2000. One thousand firms is not nearly enough to provide two to three billion dollars in contracting. It just isn't enough.

Without enough certified companies, the HUB zone program is doomed to failure. This fact did not go unnoticed by the contracting officers who need to award the contracts, who cited the lack of certified companies as an excuse not to do much work on the program.

We were puzzled by this failure. After a series of letters and meetings, it appears at least two factors were involved. First, the SBA chopped 10 percent of the HUB zone budget out of the program, and diverted it to other SBA activities. SBA cited the need to pay for incidental costs that HUB zone program implementation imposed on other offices at the agency, but the ten percent whack continued even after the program was finally up-and-running.

Second, it became apparent that a regulatory provision was keeping small businesses from becoming qualified. In an attempt to have the HUB zone program work effectively with other SBA programs, SBA included a requirement that HUB zone firms be affiliated only with firms that are eligible for those SBA contracting programs.

This provision was probably well-intended. But it became apparent that this was preventing firms from participating. An otherwise-qualified firm that was affiliated with a holding company to manage its real estate (like its headquarters building) would be disqualified if that holding company was not eligible for other SBA programs. Those holding companies are typically an administrative or tax convenience, so they had never intended to participate in SBA programs, so their presence disqualified the firm.

SBA informed us that they were concerned about the unintended effects of this provision. In February of this

year, they sought my committee's guidance on whether they sought to do away with this unduly restrictive affiliation rule. On February 16th, I wrote Administrator Alvarez to say that I agreed with that proposed change, and she wrote back on February 25th to say she agreed and that SBA would do away with the restriction.

It is now seven months later, and the regulations to implement the change we agreed to have not been published. Another seven months of delay and frustration. As Everett McKinley Dirksen once said, a year here and a year there—pretty soon you're talking about real obstructionism.

This program is designed to get jobs to people in areas where they need work, the people moving off welfare, the people at the bottom economic rung. I would be delighted if the Vice President backed up his rhetoric when he talks about HUB zones by doing something about it. They opposed it from the beginning. They claimed credit for it. They have taken away the budget for it. They have imposed regulatory roadblocks. They have not implemented it.

They have had their chance and they have not led. We are going to continue to work with the SBA Administrator. We need SBA to get the revised regulations out, to get the certification process moving. It could have been an island of excellence in the sea of neglect in the Clinton-Gore administration.

When the Vice President goes out tomorrow to claim credit for the program and talk about it, perhaps somebody will ask him why 2½ years, almost 3 years after the program was passed, how come it is still weighted down in a bureaucratic maze? I think it is a good program. I think it is a good concept. My colleagues in this body on a bipartisan basis unanimously agreed to it. This is a chance for the administration to stop talking and do something.

I am from Missouri. Frothy eloquence neither satisfies nor convinces me. I want to be shown. I hope, for a change, we will see some significant action, rather than just talk, out of the administration.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. Mr. President, a slight change has been worked out in the order of speeches. I now yield to the Senator from Colorado, who will address the Treasury-Postal portion of this bill. That has been done with the understanding and approval of the minority.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. CAMPBELL. Mr. President, I thank the manager, my friend from Utah. I would like to review the Treasury and general government section, which was added to the legislative branch bill in conference.

I am going to repeat a few numbers. They are rather dry, but they are important numbers for my colleagues.

Needless to say, I think this is an important section and hope they support it. Budget constraints made it impossible for the committee to fund all requests made by the administration and by our colleagues in the Senate, too, but we tried to accommodate all of the requests as far as we could.

I think, as does my ranking minority member, Senator DORGAN, we would probably have preferred to bring this bill to the floor as a free-standing bill, but time constraints prevented us from doing that. But I believe it is still a good bill. Let me go over some of the numbers.

Mr. President, the Treasury and general government portion of this conference report contains a total of \$30,371,000 in new budget authority. Of that, \$14,679,607,000 is for mandatory programs over which the Appropriations Committee has no control.

This conference report strikes a portion between congressional priorities, administration initiatives, and agency requirements. Preparation of the Senate committee-reported bill would not have been possible without the hard work and cooperation of the ranking member of the subcommittee, Senator DORGAN, and his staff.

As we consider the Treasury and general government portion of the legislative branch conference report, I would like to highlight some of the provisions before us:

We emphasize on the need for the Gang Resistance Education and Training Program—called GREAT—by including \$3 million more than the administration request for grants to State and local law enforcement.

We provided a total of \$93,751,000 for the Bureau of Alcohol, Tobacco and Firearms to enforce existing gun laws. This includes:

\$19,078,000 to fully staff and expand the Youth Crime Gun Interdiction Initiative, bringing the total to 50 cities. This program allows ATF to track and prosecute those who supply guns to our youth.

Also, \$23,361,000 for expanded ballistics imaging technology, and \$41,322,000 to significantly expand the Integrated Violence Reduction Strategy to support criminal enforcement initiatives such as Project Exile and Project Ceasefire to combat violent crime.

We have also included \$13,700,000 for the Southwest Border Customs staffing initiative, \$130 million for the Customs automation effort, called ACE, and \$2,572,000 more to combat importation of items produced by forced child labor.

Speaking of youngsters, Mr. President, I am pleased to note that we have been able to fund the ONDCP anti-drug youth media campaign at \$185 million.

We have spent over half a billion dollars in this program in the last several years.

Title II of this section provides \$96,093,000 for the U.S. Postal Service and continues to require free mailing for overseas voters as well as for the blind, as well as a 6-day delivery and

prohibit the closing or consolidation of small and rural post offices.

Title III contains a total of \$691,315,000 for the Executive Office of the President. This includes the Office of Management and Budget, the Office of National Drug Control Policy, the Federal drug control programs, and the funding for the media campaign to which I alluded.

There is \$29,053,000 for the Counterdrug Technology Assessment Center for their program to transfer technology to State and local law enforcement agencies. This is an ongoing program and has been a huge benefit to both State and local law enforcement groups.

There is \$206 million for the High Intensity Drug Traffickers Area Program, called the HIDTA Program. This is an existing program, and the funding is continued in this bill under the current level. HIDTA Programs coordinate local, State, and Federal antidrug efforts. It has met with a great deal of approval with local and State law enforcement. As a matter of fact, many Senators requested expansion of this program, but we had to live within our budget constraints.

Title IV is independent agencies, such as the Federal Elections Commission, the General Services Administration, the National Archives, as well as agencies involved in Federal employment issues, such as the Federal Labor Relations Authority, the Merit Systems Protection Board, the Office of Government Ethics, the Office of Special Counsel, and the Office of Personnel Management.

Also included in this title are mandatory accounts to provide for Federal retiree annuities, health benefits, and life insurance. The conferees have provided a total of \$15,986,378,000 for this title in fiscal year 2001.

For the first time in 4 years, the administration has requested funding for courthouse construction. Although we have not been able to fund the entire list due to limited resources, we have included funding for four courthouse projects in fiscal year 2001, as well as an additional four projects in fiscal year 2002.

Again, I thank the ranking member of our subcommittee, Senator DORGAN, for his hard work and support. Certainly this bill would not have been possible without his assistance. Too often we forget the hard work of staff—for Senator DORGAN, Chip Walgren and Steve Monteiro; for the majority, Pat Raymond, Tammy Perrin, and Lula Edwards—who deserve a great deal of credit for the long hours, nights, and sometimes weekends spent in trying to put this section of the bill together. I believe this conference report deserves the support of the Senate.

One last thing, Mr. President. We are still obviously in a state of shock and loss at the death of our colleague, Senator Paul Coverdell, who was a tireless worker in trying to reduce youth violence and drug use. His life was a model

of what youngsters should aspire to. In his honor, we have named the Federal Law Enforcement Training Center's newest dormitory building at Glynco, GA, for him.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I am pleased to join the subcommittee chairman, Senator CAMPBELL, in bringing this hybrid bill to the Senate floor. The process by which we have arrived here today is one which I hope we will not replicate on other appropriations bills for the remainder of the year. I will not belabor the point about the process. It is unfortunate that the Senate was unable to enact its will on this legislation when it initially was reported out of the full Appropriations Committee on July 20. This is not a reflection on the chairman—he produced a bill in a short period of time acting on the instructions he was given. I cannot fault him for this. In fact, I congratulate him for many of the good decisions which were made on the substance of this legislation, but the fact remains that the Senate was not well-served by this process.

The conference report before us today provides \$15.6 billion in discretionary budget authority for high priority law enforcement, trade enforcement and good government programs. It is approximately \$1.1 billion above the level of funding approved by the Appropriations Committee in July. It is also \$1.9 billion above last year's enacted level. Yet it remains \$900 million below the President's request. This is one of the main problems with the underlying bill. While funds were added for a number of administration priorities, the bill remains deficient in a few areas, primarily regarding IRS staffing and counter-terrorism programs. I have received assurances that additional funds will be provided for a number of these deficiencies in later appropriations bills. Former President Reagan used to say, "Trust, but verify." I trust my colleagues and look forward to verifying that additional funds will be found.

In many ways, however, this conference report is a good bill. Compared to the bill that was reported out of the Appropriations Committee, many of the problems with that bill have been resolved. Objectionable language regarding guns has been removed. Many agencies are fully funded at the requested level. The Customs Service's computer modernization program is well funded at \$130 million. A good first step has been made to reduce the courthouse construction backlog.

This bill represents a responsible and balanced piece of legislation. I want to note that it has been a pleasure working with Senator CAMPBELL on this legislation. He and his staff have been professional and diligent in representing our interests and assisting us in formulating this legislation. I also want to take this opportunity to thank his staff, Pat Raymond, Tammy Perrin,

and Lula Edwards for their hard work and cooperation in crafting this bill. I also wish to note the work of my staff, Chip Walgren, Steve Monteiro, and Nicole Kroetsch, on this legislation.

As the chairman noted, this bill funds base operations for the Treasury Department, its agencies and other general government operations. It maintains current operating levels in most instances and annualizes the costs of FTE, full time equivalent, increases made in last year's bill. It is designed to limit, as best we can, undue impacts on personnel. We have tried to avoid funding cuts which would require reductions in FTE after we increased FTE levels in fiscal year 2000.

Within the constraints imposed by our allocation, we have attempted to accommodate Members' requests where possible. However, our allocation also means that no Member received everything he or she requested. I would note that we received requests from over 75 individual Members to include funding for programs they consider of importance to their State or the Nation.

I must note that there were a number of deficiencies in this bill when it was reported out of the committee. While I did not participate in the drafting of the conference report, I am pleased that many of those deficiencies have been addressed in this legislation.

One of my major concerns is funding for the Customs Service Automated Commercial Environment, known as ACE. The original Senate bill had no funds for Customs' new and crucial computer improvement program. The existing system is the over-worked backbone of our trade flow system. It has been experiencing an ever increasing rate of failures and brownouts. Our trade volume has doubled over the last ten years. Based on the rate of growth in trade from 1996 to 1999, Customs anticipates an increase of over 50 percent in the number of entries by the year 2005.

This is an antiquated system which is becoming increasingly expensive to operate. We need to fund ACE now. The House has provided \$105 million for ACE and I am pleased that the conference report includes \$130 million for this crucial program.

Another issue that concerns me, as well as the administration, is funding for the Internal Revenue Service. While this conference report does better by the IRS than the original House or Senate bills, we are still more than \$300 million below the President's budget request. I have spoken with the Commissioner of the IRS, Charles Rossotti, and I share his fears that funding at these levels may result in staff cuts. I ask unanimous consent that letters from Commissioner Rossotti dated September 8, 2000 and September 15, 2000 be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE TREASURY,
INTERNAL REVENUE SERVICE,
Washington, DC, September 8, 2000.

Hon. BYRON DORGAN,
Committee on Appropriations, U.S. Senate,
Washington, DC.

DEAR SENATOR DORGAN: On July 27, the House and Senate Appropriations Subcommittees on Treasury and General Government agreed to a conference report on the Senate Committee-passed and House-passed fiscal year 2001 spending bill. The conference committees \$8.494 billion funding level is a \$305 million reduction from the FY2001 request. Although this funding level is an increase from FY2000, please recognize that this level would lead to a further decline in the already low levels of compliance activity, and threaten the modernization of IRS computer systems.

Without funding for the Staffing Tax Administration for Balance and Equity (STABLE) initiative, the IRS efforts to provide increased service to taxpayers and reduce the decline in audit coverage are at risk. Specifically, toll-free service will drop from the current unacceptable level of 65 percent to less than 60 percent; similar private sector service is above 90 percent. Even more disturbing, audit coverage will continue to decline. Since FY 1998, that rate has declined 49 percent. Furthermore, audits of taxpayers earning more than \$100,000 annually a rapidly expanding segment of society have declined almost 33 percent from FY1998 to FY1999. Even our ability to collect taxes on acknowledged overdue accounts is declining significantly.

The conference committee also did not fund the requested \$72 million for the Information Technology Investment Account (ITIA). The entire \$2 trillion of annual tax revenue collected by the IRS is critically dependent on an obsolete computer system developed over 35 years by the IRS. These systems are so deficient they do not allow the IRS to administer the tax system or provide essential service to taxpayers at an acceptable level. Furthermore, because the IRS experiences a 1.5 percent annual workload increase in number of returns processed, either productivity must increase through improved technology or staffing must increase just to remain at the same inadequate service levels. Through the ITIA account provided by Congress, the IRS in the last 15 months has begun the enormous job of modernizing these systems. We must have a consistent funding stream for this program. Lack of funding for the ITIA account will slow or even halt projects currently underway, increasing the time, cost and risk of our systems modernization.

In order to fulfill requirements of the IRS Restructuring and Reform Act of 1998 and provide effective tax administration, we must have full funding. I urge you to seek ways to provide this funding. Please contact me if you have any questions.

Sincerely,

CHARLES O. ROSSOTTI,
Commissioner.

DEPARTMENT OF THE TREASURY,
INTERNAL REVENUE SERVICE,
Washington, DC, September 15, 2000.

Hon. BYRON L. DORGAN,
U.S. Senate,
Washington, DC.

DEAR SENATOR DORGAN: As we discussed earlier today, I am enclosing a set of talking points and a chart on the IRS' FY 2001 budget request and a description of the FTE commitment needed to meet the requirements of the IRS Restructuring and Reform Act of 1998. I cannot thank you enough for your support for full funding of the agency's budget. It is critical to carrying out the Restruc-

turing Act and safeguarding the nation's tax administration system.

If I can be of any further assistance or answer any questions, please do not hesitate to call me.

Sincerely,

CHARLES O. ROSSOTTI,
Commissioner.

Enclosures.

TALKING POINTS FOR IRS BUDGET

BACKGROUND

Full funding for the IRS budget is \$8.799 billion—the House-passed conference report if \$8.494 billion—or \$305 million short of the FY 2001 request.

This \$305 million funds two initiatives that are key to the success of IRS' modernization effort (it also adds \$4m for Criminal Investigations and \$3m for Electronic Tax Administration):

\$72 million for technology investments (ITIA) to upgrade the IRS's obsolete and inherently deficient computer systems

\$225 million for a hiring initiative (called STABLE—Staffing Tax Administration for Balance and Equity) that will restore the IRS staffing level near the level prior to enactment of the IRS Restructuring and Reform Act of 1998 (RRA98).

KEY POINTS

The IRS needs full funding to deliver on RRA98's mandates.

In terms of technology, IRS has developed a rigorous management process to ensure that its past mistakes (i.e. TSM) will not be repeated. The ITIA funding request is necessary so that the IRS can continue efforts to make technology investments that will have direct benefits to taxpayers in 2001. GAO has repeatedly reported that "until IRS' antiquated information systems are replaced, they will continue to hinder efforts to manage agency operations and better serve taxpayers through revamped business practices". Without this funding, the IRS will have to stretch out many of the projects it has planned to improve the administration of the nation's tax system and service to taxpayers. For example, the IRS plans to significantly improve its communications capabilities with taxpayers—allowing service representatives to answer taxpayer calls much more quickly and accurately. This is just the first of a series of planned upgrades to the decades old IRS technology infrastructure that will dramatically improve service to taxpayers and could be delayed.

The staffing initiative (STABLE) is necessary to enable the IRS to stem the precipitous decline in its collection activities and, at the same time, improve assistance to taxpayers. Since 1997, the IRS has experienced an extraordinary increase in demand for its limited staff. (See attached table.) There are two main causes for this increase:

RRA98 created numerous new taxpayer rights provisions that require additional time and resources for IRS employees. The IRS estimates that more than 4500 FTEs were devoted to meeting RRA98's demands—an effective reduction of 5.2 percent in FTE since 1997.

As the economy grows so does the IRS workload. Each year the IRS experience workload growth of 1.8 percent—that translates to an additional 1800 FTE each year just to keep pace with increased processing and compliance requirements.

STABLE is designed to compensate for these increases. Even with STABLE, total IRS staffing will be below the pre-RRA98 level.

IRS FTE RESOURCES IN FY 2001 WILL BE LESS THAN BEFORE RRA '98 WAS PASSED, EVEN AT FULL FUNDING OF THE REQUEST

1997	102,622
1998	
1999	99,596
2000	97,361
2001 (IRS request)	99,862

FY 2000 MANDATORY FTE INCREASES FROM RRA '98

(FTE by Program)

Code section	EXAM	Collection	Customs service	Other	Total FTE
1203—Termination of Employment for Misconduct; Incl 1203 Training		107		19	126
1205—Employee Training Program	113	71	177	7	368
3001—Burdens of Proof			2	3	5
3201—Innocent Spouse Case Processing & Adjudication	421	14	118	178	731
3301—Global Interest Netting	73	19	10	1	103
3401—Due Process in Collections		108	78	170	356
3417—Third Party Notices	150	270	150	17	587
3462—Offers in Compromise Case Processing		1,536	136	1	1,673
3501—Explanation of Joint & Several Liability		19		1	20
3705—Spanish language assistance/live assistant option/contact on manually generated notices			36	27	63
****—All Other Codes		10	353	166	529
Total	757	2,154	1,060	589	4,560

Mr. DORGAN. Mr. President, in the IRS Reform and Restructuring Act of 1998, we mandated specific goals for the IRS to meet in terms of taxpayer assistance and IRS performance. However, we continue to deny the IRS the resources it needs to meet these mandated goals. This is an administration concern, and it is my concern as well. We must do better by the IRS—if not on this bill—then in subsequent legislation. It is important that we maintain the concept and provision of “service” by the Internal Revenue Service.

I am pleased we were able to fund the National Youth Anti-Drug Media Campaign at last year's level of \$185 million. While this is still \$10 million less than requested by the administration, it represents a continued commitment to getting the message to our young people that drugs can kill. To date we have appropriated over \$500 million for the media campaign—with mixed results. We had two hearings this year on the campaign where many of these concerns were raised. While it remains a somewhat controversial program, I will continue to work with the chairman and others ensure that the campaign bears identifiable and quantifiable results.

Finally, I am pleased that the conference report fully funds the administration's requests for the Bureau of Alcohol, Tobacco and Firearms to enforce existing gun laws. We fully fund the request to expand existing ballistics identification activities and to expand the Youth Crime Gun Interdiction Initiative, YCGII, program into 12 additional cities. Also, the objectionable gun preference provision—inserted in the original Senate bill without debate—has been dropped. This was a wise action and I congratulate the chairman and others for taking this step.

Again, while I strongly protest the process by which this conference report was drafted, in most respects—this is a responsible bill. It goes far to meeting our commitments to law enforcement and our Federal employees. I am committed to working with Senators STEVENS and BYRD and the leadership to find additional funds for the IRS and counterterrorism on subsequent legislation.

Mr. President, briefly, the statements made by the Senator from Colorado, Mr. CAMPBELL, are accurate statements. He has done an outstanding job. I am very pleased to work with him. We worked closely together on this legislation.

He knows I feel somewhat aggrieved by the process. This bill has not followed the normal course in coming from the full Appropriations Committee to the floor of the Senate. It was taken in an unusual circumstance. It was put into conference, and now a conference report comes to the floor. There are Senators who perhaps would have offered amendments on the floor who were precluded from doing so. That really should not be the case.

This is not a good process. That is not Senator CAMPBELL's fault. The Senator from Colorado is someone who did what was required of him with respect to the leadership decision. I hope we will not have this approach used in future bills. I will have more to say about the Agriculture appropriations bill which is supposed to be in conference now but on which there is no conference. I will speak more about that at a later moment.

My sense is much of what is in this bill is on target. We are about \$900 million below the budget request. We made progress in a whole range of areas. I was very concerned about the program called the ACE Program, the computer modernization program at the Customs Department, known as ACE—Automated Commercial Environment.

The fact is the system for keeping track of what is coming in and going out of this country in trade, the system used by the Customs Service is simply melting down. We need to modernize that system. This program designed to do that was not funded in some of the earlier versions. The bill that is now on the floor does begin that funding with \$130 million, a pretty robust amount of funding. For that I am most appreciative.

This legislation is still short with respect to the Internal Revenue Service needs, with respect to some counterterrorism appropriations, with respect to an account called unanticipated needs. The chairman of the full committee has indicated to me that while this is the conference we are dealing with and we have to take action on this conference report, he anticipates being able to respond to those deficiencies in another circumstance. We will probably have an omnibus appropriations bill. The chairman of the full committee has indicated the deficiencies that exist will be responded to in some omnibus bill at the end.

We will have to wait and see if that happens, but I expect perhaps this conference report was held for some period of time and certainly would be held at the White House. There is some discussion of a potential veto unless the holes are filled, especially with respect to enforcement capabilities at the Internal Revenue Service.

I say that only because there are more and more sophisticated schemes being used by some of the largest corporate taxpayers about which the Secretary of the Treasury has talked a great deal. They do need enforcement capability to penetrate some of those schemes that are used to avoid paying a fair share of taxes.

Pat Raymond, Tammy Perrin, and Lula Edwards on the majority side, and Chip Walgren, Steve Monteiro, and Nicole Koretsch spent a lot of time on this bill. As is the case with the legislative branch appropriations bill, this bill, the Treasury-general government appropriations bill, much credit must go to a lot of people who worked a lot of hours to make sure we funded these agencies properly.

I wanted to make those points and say I do not like this process. It has produced a bill that is pretty good in almost all respects except for a handful of things that need some remedy. The chairman of the full committee has told me, and I think he has told the White House and others, that he intends to respond to those deficiencies in some other venue as we go along in the appropriations process, and I appreciate that.

As we work to finish our remaining appropriations bills, it is my fervent hope that we can do this in the regular order. Bills passed by the full Appropriations Committee in the Senate should be brought to the Senate floor for debate and amendment, and then we send them to conference. When we have debate and amend a bill in the Senate, as we did with the Agriculture appropriations bill, which is critically important—it has my amendment that gets rid of sanctions on the shipments of agricultural products and stops using food and medicine as a weapon. The Senate voted for it by a wide margin.

It has the amendment Senator JEFFORDS and I, Senator GORTON and others offered on reimportation of prescription drugs which would force the repricing of prescription drugs in this country. We adopted that.

The House passed their bill the early part of July. We passed ours mid to late July. I am a conferee, and there has not been a conference. My expectation is there will never be a conference because they do not want to have a conference on something that controversial. Either one of those put to a separate vote in the Senate and the House will pass by 70 percent. I am worried this process will be used to hijack that bill.

I serve notice that I intend to inquire of the majority leader later this afternoon when he comes to the floor or tomorrow at some great length saying, we lost the issue last year and were hijacked to stop using food and medicine as a weapon. They adjourned the conference and never reconvened. It looks as if they are fixing to not convene a conference this year. That is not the way we should expect the Senate to do its business. I am sorry to get off on that for a moment.

Again, I appreciate the good work of Senator CAMPBELL and look forward to not only proceeding with what is in this bill, which I think is good work, but also remedying a half dozen or so areas that I think come up short of what we need to do, and I think the chairman of the full committee has said we need to do that.

Mr. CAMPBELL. Mr. President, I would like to respond to my friend and colleague from North Dakota.

His advice and counsel has been extremely important to me. I appreciate his comments very much. As I mentioned in my opening statement, I would have preferred to bring the bill to the floor as a self-standing bill, too. We are simply running out of time with only less than 3 weeks, I guess, of actual workdays before we adjourn for the year. It just was not possible this year.

But I look forward to working with him. If we do bring some emergency spending bill to the floor through the full committee, I would ask to work with him to try to fill in some of the holes we have missed in this bill.

With that, I thank the Chair and I yield the floor.

GRAND FORKS FEDERAL BUILDING AND UNITED STATES COURTHOUSE

Mr. DORGAN. Mr. President, there are a number of important national provisions contained within the conference report. One provision, however, is both of national importance as well as of importance to the people of North Dakota. I am especially proud that the bill names the Federal Building and United States Courthouse in Grand Forks, ND after Judge Ronald N. Davies.

The late Judge Davies is one of North Dakota's proudest sons. While he grew up in Grand Forks, he is also claimed by Fargo. It was while serving as a judge in Fargo that President Eisenhower appointed him to the Federal bench in 1955. While not a household name, Judge Davies has gone down in history as the judge who ordered Arkansas Governor Orval Faubus to integrate the Little Rock public schools 43 years ago this month. It is only fitting that the Federal building in his hometown—constructed the year he was born—bear his name.

Some of my colleagues may have had the opportunity to visit the Norman Rockwell exhibit at the Corcoran Gallery of Art in downtown Washington. Among the many examples of Americana is the famous Rockwell painting

of a little African-American girl, hair in pigtails, head held high, being escorted to school by U.S. Marshals. The painting puts a human face on an important turning point in our Nation's history. It was the result of the ruling by this modest and unassuming son of North Dakota that our Nation took one more step toward expanding the American dream to all Americans.

I thank my colleagues for their support of this provision. I ask unanimous consent that articles from the Grand Forks Herald and Fargo Forum regarding Judge Davies be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Grand Forks Herald, Aug. 6, 2000]

A FITTING TRIBUTE TO JUDGE

FEDERAL BUILDING WILL BE RENAMED FOR JUDGE RONALD N. DAVIES—THE MAN WHO MADE LANDMARK DECISION ON SCHOOL DESEGREGATION

(By Marilyn Hagerty)

Soon it will be the Ronald N. Davies Federal Building and Courthouse in Grand Forks. The neoclassical building at 102 N. Fourth St. will be renamed to honor the late federal judge from North Dakota who in 1957 made what is considered the landmark decision on racial integration in our nation.

Born in Crookston in 1904—the same year work began on the Federal Building—Davies grew up in Grand Forks.

The Appropriations Committee of the U.S. Senate last month approved renaming the building in memory of the late Judge Davies.

The legislation was proposed by Sen. Byron Dorgan D-N.D., who said: "I can think of no better way to celebrate his contributions and preserve his legacy for future generations." A date for the renaming ceremony will be announced.

Davies was appointed to the federal bench by President Dwight Eisenhower in 1955. Two years later, he made history when on a temporary assignment to Arkansas he ruled that Little Rock public schools must allow black students to attend immediately.

GUARD CALLED

The U.S. Supreme Court had ruled three years earlier that segregation was unconstitutional. Before a desegregation plan could take effect in Little Rock, Arkansas Gov. Orval Faubus called out the National Guard to prevent it.

On Sept. 7, 1957, Davies ordered Faubus to stop interfering. The governor called Davies' ruling high-handed and arbitrary, but the National Guard was removed. On Sept. 23, nine black children entered the high school, and white mobs rampaged. The children were removed after sporadic battles between police and rioters, according to reports by The Associated Press.

Two days later, the "Little Rock Nine" entered the school under the protection of 1,200 soldiers sent by Eisenhower.

Judge Davies, by then was widely known for his work in Arkansas. He often was referred to as "the stranger in Little Rock." This stemmed from an article in Newsweek in late September in which he was featured as "This Week's Newsmaker."

When a national television broadcast branded him as "an obscure federal judge," he responded: "We judges are obscure—and should be. That is what I want—to return quietly to the obscurity from which I sprang."

Before going to Arkansas, Davies said, he never had heard a desegregation case. He insisted he was only trying to do his job.

"I have no delusions about myself," he was reported to have said. "I'm just one of a couple of hundred federal judges all over the country. That all."

Davies was named to senior U.S. District Judge status in 1971 in Fargo. He died there in 1996 at the age of 91.

HIGHLIGHTS

Significant honors awarded Judge Ronald N. Davies:

North Dakota's highest honor, the Theodore Roosevelt Roughrider Award, was presented to him in 1987. His portrait hangs in the Hall of Fame in the State Capitol.

Named outstanding alumnus of Georgetown University Law Center, Washington, D.C., in 1958.

Given an honorary doctor of law award by the UND School of Law in 1961.

Received Martin Luther King Holiday Award in 1986 by North Dakota Peace Coalition.

In 1961, the Davies family attended graduation ceremonies at UND for three rewarding reasons: Son Timothy received a degree from the law school; son Thomas earned a degree in business administration, and Judge Davies delivered the commencement address.

In 1966, Judge Davies rendered a decision he considered one of his most important cases—Stromsodt vs. Parke-Davis and Co. The case was tried in Grand Forks and involved a damage suit against Parke-Davis, one of the nation's largest drug manufacturers, for an unsafe vaccine administered to Shane Stromsodt at the age of five months in 1959. The child, who suffered irreparable brain damage, was represented by prominent torts attorney Melvin Belli. On Sept. 29, 1966, Davies awarded \$500,000 to the 7-year-old Stromsodt.

DAVIES, THE MAN—WHO WAS JUDGE RONALD N. DAVIES?

He was competitive, ambitious, courageous. He was a lawyer's lawyer and a lawyer's judge. He had a sense of humor that would knock your socks off.

That's what children of the late Judge Ronald N. Davies say about him.

A daughter, Katherine Olmscheid, of Lafayette, Calif., was a senior in high school at the time her father was making headlines in Little Rock, Ark.

She says: "I knew what was going on, but I was so used to Dad being a take-charge kind of man that I just expected he was being very thoughtful about every decision he made. He did tell me that he well knew that his upholding the law in this case would not bode well for him in appointments to a higher court."

"He was competitive and ambitious, but when it came to the law and the courage to uphold it, there was never any question. He was a father who took time to talk to me and explain what was happening, but he never focused on the drama of it."

Thomas Davies, a son who is a municipal judge in Fargo, says his dad had a favorite saying: "Better to be silent and thought a fool than to open your mouth and erase all doubt."

Judge Ronald N. Davis was short—only 5 feet, 1 inch. But his son says nobody mentioned his height. If they did, the judge would launch into a good-natured dissertation about people who were too tall for their own good.

Thomas Davies says his father knew who he was and what he had to do. "He respected lawyers, and they respected him. He never lost contact with the average person. He knew and liked the janitors, elevator operators, secretaries, waitresses, labor people and their bosses. He could, in my estimation, have been elected to any office in state, local

or federal levels; but he had the job he wanted, and he loved it."

Jody Eidler, a daughter who lives in Wheaton, Ill., remembers her father's sense of humor. "It was the best of anyone we knew. Ask any lawyer who appeared in his courtroom. I used to meet him in Chicago when he came to hear cases. I'd sit back and marvel at how smooth he was with the big-city attorneys. He handled them with kid gloves."

Davies' sons and daughters talk of the "round table" the judge held at the Elks Club in Fargo. He would have lunch with different lawyers, and he always would make room for one of his children if they happened to drop by.

Olmstead says: "Dad was a stickler for his name being Ronald N. Davies. That N. initial thing was important to him, so I sure hope the powers that be take that into consideration when renaming the building."

As an aside, she said: "Dad was as proud of being a Sigma Nu as he was about just about anything else. He always sang the UND and Sigma Nu songs to us as we drove around Grand Forks on warm summer nights. He loved the University of North Dakota. He got his law degree from Georgetown, but he was a UND man all the way."

Along with Jody, Katharine and Thomas, the children of Judge Davies include Jean Marie Schmith and Timothy Davies, a trial lawyer with the firm of Nilles, Hansen and Davies in Fargo.

Judge Ronald N. Davies was born in Crookston on Dec. 11, 1904, two years before the completion of the U.S. Post Office and Court-house—now the U.S. Federal Building that will be named after him.

He was the son of a former Crookston Times editor and Grand Forks Herald city editor, Norwood Davies, and Minnie Quigley Davies.

His interest in the legal world grew as he tagged after his grandfather, who was chief of police in East Grand Forks. The family moved to Grand Forks in 1971, and Davies received a diploma from Central High School in 1922.

He went on to UND and worked at a soda fountain and in a clothing store to help with expenses. He graduated in 1927. He earned his law degree from Georgetown University Law Center in Washington, D.C., in 1930. As a student, he worked for the Capitol police force.

Davies began his long legal and judicial career in 1932, when he was elected as judge of the Municipal Court in Grand Forks. He served in that capacity until 1940, when he went into private practice. He was called into military service after the bombing of Pearl Harbor in 1941. He entered the U.S. Army as a first lieutenant and was discharged in 1946 as a lieutenant colonel.

Davies was married in Grand Forks on Oct. 10, 1933, to Mildred Doran, who was born in Arvilla, N.D., and grew up in Grand Forks. She was a graduate of St. John's Hospital School of Nursing in Fargo. She died in 1994.

The family includes five children, 20 grandchildren and 37 great grandchildren.

[From the Fargo Forum, Aug. 11, 2000]

IDEA TO HONOR JUDGE DAVIES IS APPROPRIATE
(By Terry DeVine)

North Dakota Sen. Byron Dorgan's introduction of legislation that would rename the federal courthouse in Grand Forks in honor of the late federal judge Ronald Davies of Fargo, who handed down the landmark ruling in the 1957 Little Rock, Ark., school desegregation case, is certainly appropriate.

Davies may have been a diminutive man, standing only 5-foot, 1-inch tall, but he was a Paul Bunyan of the law when he sat on the bench. His courtroom was a model of decorum, but never humorless. He had a way of

keeping serious matters from becoming too overwhelming.

"If things were too tense, he'd crack a joke in court to lighten up the atmosphere," says his son, Fargo Municipal Judge Tom Davies. "The dad at home was not the judge you saw in court. He was serious in court but had a real good sense of humor."

The Senate Appropriations Committee recently approved Dorgan's legislation to change the name of the building to the judge Ronald N. Davies Federal Building and Courthouse. The provision is included in a larger bill that will be voted on by the full Senate when it returns from its recess in September.

The elder Davies was a graduate of the University of North Dakota and Georgetown Law School in Washington, D.C. While in law school, he worked as a Capitol policeman.

"I'd have loved to see that," says his son. "I'm sure my dad thought that was a hoot. He did think the rest of the world was too tall. His nightstick must have been almost as long as he was tall."

Former North Dakota senator and power broker Bill Langer nominated Davies for the federal bench in 1954, and he was appointed by President Dwight D. Eisenhower in 1955.

At the time, Langer reportedly said Ron Davies would be appointed to the federal bench or there would be no federal judges in North Dakota. The Senate obliged Langer.

Tom Davies says his father was fully aware of the awesome power a federal judge possesses, but it only made him more careful in the way he wielded it. He never let it go to his head, Davies says.

Davies had practiced law for several years in Grand Forks, N.D., before moving to Fargo following his appointment to the federal bench. He was sent to Arkansas to help clear what he thought was a backlog of routine cases.

Another federal judge ordered the integration of Little Rock schools, and Judge Davies ordered the integration process be accelerated at Central High School. Arkansas Gov. Orville Faubus called out the Arkansas National Guard to stop the admission of black students. President Eisenhower federalized the National Guard troops and nine black students were admitted to the previously all-white school.

It was a scary time, and there were death threats aplenty, but Davies stood his ground. He was the right man at the right time for the nation.

Davies paid his dues long before his federal appointment by "belonging to just about every organization that ever existed, with the exception of the Communist Party."

"He was as active as any human being could ever be," says Tom Davies. "He was a sparkplug. He never stopped recognizing people. He said hello to everyone. He was never arrogant."

Davies says his father was always available to the media, but never once took advantage of many opportunities to speak or write about the Little Rock ruling for large sums of money in his later years.

"I shouldn't be paid to talk about doing my job," he said.

His son said his father, who died in 1996 at the age of 91, spoke about Little Rock only once on television when he did a 45-minute show with Fargo-Moorhead radio/television host Boyd Christenson.

Men like Judge Davies should be remembered. Naming a federal courthouse in his honor is a fine idea.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. WELLSTONE. Mr. President, before the Senator starts, I ask the Chair: I am in order to follow the Senator from Iowa; is that correct?

The PRESIDING OFFICER. The Senator from Minnesota is in order in the request.

Mr. WELLSTONE. I thank the Chair.

Mr. HARKIN. Mr. President, parliamentary inquiry. How much time do I have?

The PRESIDING OFFICER. The Senator from California has 25 minutes under her control but has not yielded a specific amount of time.

Mrs. FEINSTEIN. I believe Senator WELLSTONE is speaking under his own time. I will yield such time as he may consume to Senator HARKIN.

Mr. HARKIN. I thank the Senator from California for her graciousness in yielding me this time.

(The remarks of Mr. HARKIN are located in today's RECORD under "Morning Business.")

The PRESIDING OFFICER. Under the previous order, the Senator from Minnesota is recognized for 30 minutes.

Mr. WELLSTONE. Mr. President, I want to say at the very beginning to my colleague from Utah, for whom I have a lot of respect, that none of what I am about to say is aimed directly at him personally; quite the opposite. But I want to come out here and take very serious exception with the process and the result.

We finalized the legislative appropriations bill. Rather than having the Treasury and Postal appropriations bill coming directly from the floor of the Senate and having the opportunity to offer amendments, that bill was put into the legislative appropriations conference report. The two bills were basically linked to one another. This is a terrible way to legislate.

I say to the majority leader and others that we have been at this before and that I am out here on the floor of the Senate again today saying I take very serious exception to this. I cannot represent the interests of the people in the State of Minnesota very well when there is no opportunity to come to this floor and have amendments and try to make a difference.

I didn't come to the floor of the Senate to be a potted plant or a piece of furniture. In this particular case, I take exception with a couple of different things.

First of all, we have raised our salary to \$141,300, and there is no opportunity for an amendment to be offered on the floor of the Senate to block this increase, no opportunity at all, no opportunity for any debate on this with an amendment. I can understand how the majority leader or someone on the majority party did not want to have an up-or-down vote. But I will tell you that I find it is very difficult to square raising our salary to \$141,300 at the same time we are not willing to raise the minimum wage from \$5.15 to \$6.15 over a 2-year period. It is just unbelievable to me.

I want to be clear about it again. The Congress, by taking the Treasury-Postal appropriations bill and putting the salary increase into it, then putting it

into a legislative appropriations conference report, is basically raising our pay without even taking a vote on it.

I want to tell you that is what gets us in trouble with the people we represent. This is exactly what gets us in trouble with the people we represent, and for very good reason.

Maybe the majority leader didn't want to have an up-or-down vote. Maybe the majority party didn't want to have an up-or-down vote. But I wanted an opportunity to come here to the floor of the Senate and say no way am I going to support raising our salary to \$141,000 a year when this Senate and this conference has not been willing to raise the minimum wage from \$5.15 an hour to \$6.15 an hour.

To be very honest with Senators, I might raise another question, which is: Have we earned the salary increase? Have we passed a Patients' Bill of Rights? No. Have we passed prescription drugs extended onto Medicare? No. Have we reauthorized the Elementary and Secondary Education Act? No. Have we reauthorized the Small Business Administration? No.

In all due respect, we have done hardly any of the work of the people. We have not done much at all when it comes to the basic issues that affect the lives of the people we represent. Yet we are raising our salary to \$141,000 a year. We are putting it into an unrelated conference report so that there will not be a vote on it. I think that is not a very direct way of conducting business.

I want to remind my colleagues of the words of Senator KENNEDY 4 years ago, when the Senate voted to gut rule XXVIII. That is the Senate rule limiting the scope of conference, and we are violating this conference report. I quote from Senator KENNEDY. This was 4 years ago, and it is so true to be prophetic.

The rule that a conference committee cannot include extraneous matter is central to the way the Senate conducts its business. When we send a bill to a conference we do so knowing that the conference committee work is likely to become law. Conference reports are privileged. Motions to proceed to them cannot be debated, and such reports cannot be amended. So conference committees are already very powerful. But if conference committees are permitted to add completely extraneous matters in conference—that is, if the point of order against such conduct becomes a dead letter—conferees will acquire unprecedented power. They will acquire the power to legislate in a privileged, unrenounceable fashion on virtually any subject. They will be able to completely bypass the deliberative process of the Senate.

Mr. President, it is a highly dangerous situation. It will make all of us less willing to send bills to conference and will leave all of us vulnerable to passage of controversial, extraneous legislation any time a bill goes to conference. I hope the Senate will not go down this road. Today the narrow issue is the status of one corporation under the labor laws, but tomorrow the issue might be civil rights, States rights,

health care, education, or anything else. It might be a matter much more sweeping than the labor law issue that is before us today.

That is exactly what we have done. What we have here today is a mini-omnibus measure, and I think it is exactly the road that Senator KENNEDY was warning we should not go down.

I say to colleagues that I think every Senator ought to object to what we are doing—every Senator, Democrat and Republican alike.

We had an opportunity in the later months of this summer when we came back to bring this appropriations bill to the floor. We could have dealt with the Treasury-Postal appropriations bill. If we had, I would have brought an amendment to knock out our salary increase. I would have added an amendment that said we do not raise our salary increase to \$141,000 a year until we raise the minimum wage. I would like to have had an up-or-down vote. All of us would have been held accountable, but that is not the way it was done. The majority party apparently doesn't want to have any votes any longer on any amendments whereby we will be held accountable.

Instead, anytime a Member desires—and I hope other Democrats will speak on this—it is true, they can take unrelated issues in matters, put it into a conference report, vote to raise our salary to \$141,000 a year when we are not willing to raise the minimum wage from \$5.15 to \$6.15 over 2 years. They are in the majority. They can put it into an unrelated conference report, bulldoze it over us, and pass this legislation.

As a Senator from Minnesota, I am not going to let it happen without speaking about it. There will come a time when they may not be in the majority and there will come a time when they may find provisions that are put into conference reports unrelated to the scope of that conference report antithetical to the values they believe in, against what they think is right, against a Member's ability to represent their State, and they won't like it one bit. But that is exactly what has happened today. It is not because of the Presiding Officer right now, the Senator from Utah. But I believe this is truly an egregious process.

Again, one more time—just to be clear to those who are following this debate—I want to be on record. As a Senator from the State of Minnesota, people did not elect me to vote for a salary increase to \$141,000 a year, people did not elect me to be here not in a position to bring out any amendments on the floor of the Senate to represent their interests, and people certainly did not elect me to let others put a salary increase—we now go up to \$141,000 a year—in a conference report so we don't have an up-or-down vote on it without someone speaking out against it.

I speak out against it. I am not showboating. I speak out against it not be-

cause I don't think Senators should make a decent salary. First of all, what bothers me the most is I don't think we have done much. I think this has been a do-nothing Senate. I don't think we have done much on most of the crucial issues that affect people's lives. I am not sure what we have done to earn this increase.

Second, and I think even more importantly, I don't know how in the world we can justify raising our salary to \$141,000 a year when we are not even willing to raise the minimum wage. There are 10 million people in this country who would directly benefit, and many others who would indirectly benefit, from the raise of the minimum wage. There are 119,826 Minnesotans who would benefit from a \$1 increase in the minimum wage over 2 years, and if we don't do that, the minimum wage increase that we did pass has essentially lost all of its value. It is not even keeping up with inflation.

So colleagues understand, we hear a lot about the booming economy. It is true, but not all the new jobs that are being created are living wage jobs. In 1998, 29 percent of all the workers were in jobs paying poverty-level wages. In some of the jobs where we have seen the greatest growth—waiter staff, cashiers, janitors, and retail sales people—people earn less than half of what is called a living wage.

A study released by the U.S. Conference of Mayors in 1998 showed that nearly 4 out of 10 Americans visiting soup kitchens for emergency food were working; they were working poor people.

I don't think I want to go into the statistics. We have so many people in this country who could benefit. We have people who work 52 weeks a year, 40 hours a week, and they are still not out of poverty. The raise in the minimum wage would make a real difference, from \$5.15 to \$6.15 over a 2-year period.

What are we doing instead? Instead, we are raising our salary to \$141,000 a year. We are raising our salary through the worst process, whereby rather than risking someone bringing an amendment out and having an up-or-down vote, someone has put the Treasury-Postal appropriations bill into the legislative appropriations conference report. Quite clearly, it was done in a very deliberate way so we wouldn't have to have an up-or-down vote.

In conclusion, I object to this process. I believe one of the worst things we ever did was make it possible for the majority party—and I promise the Chair that when we are in the majority I will take the same position—to basically waive the rule and insist measures that are put in conference committee be related to the subject material, that we no longer have to deal with the scope of the conference, the worst thing we could have ever done in violation of this constitutional process, and certainly in violation of the very notion of accountability.

We have been down this road before. I have come to the Chamber many times and objected to this. This time I believe even more strongly in it. I say to my colleagues, if you want to raise the salary, go ahead, but don't do it in this way. And don't put one appropriations bill that we should have been able to vote on into an unrelated appropriations bill conference report, and then bring it to the floor where there is no opportunity for amendments. I can't have an amendment that says we shouldn't raise our salary to \$141,000, but I will vote against this. And I am sorry because the Presiding Officer and other Senators have done good work and in both these appropriations bills there is funding for a lot of important work.

I am going to vote no for two reasons. A, I am on record objecting to the way we are conducting our business. I am on record in opposition to the way the majority party is bulldozing over the right of the minority to come to the floor of the Senate with amendments. Second, I am voting against this appropriations bill because I think it is an outrageous proposition that the Senate should vote to raise our salaries to \$141,000 a year and we are not willing to vote, to even have a debate much less a vote, on raising the minimum wage from \$5.15 an hour to \$6.15 an hour over a 2-year period so people who work hard all year-round and are still poor, who don't earn a decent living and cannot take care of their children, are not even given the opportunity to be able to do better for themselves and their children.

I think it is egregious. It is absolutely egregious what has happened. I am in opposition to it. I hope other Senators will speak out in opposition to the process and in opposition to the Congress being so generous with our own salary and oh so stingy when it comes to looking out for the interests of many hard-working, working poor people in this country.

Mr. President, I ask unanimous consent that 14 minutes of Senator DORGAN's time be yielded to Senator GRAHAM from Florida and that 6 minutes of my time be yielded to Senator GRAHAM of Florida.

The PRESIDING OFFICER (Mr. BENNETT). Without objection, it is so ordered.

The PRESIDING OFFICER (Mr. ROBERTS). The distinguished Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, I thank the managers of this bill for their hard work in putting forth this legislation which provides federal funding for numerous vital programs in the Treasury Department and the General Government. However, I am sad to say, once again, I find myself in the unpleasant position of speaking before my colleagues about unacceptable levels of parochial projects in another appropriations Conference Report.

The amount of pork in this bill is a tremendous burden which is patently

unfair to the millions of hard-working American taxpayers, who do not possess the resources to get a "pet project" placed in their backyard.

The list of projects which received priority billing is quite long and the dollar amounts are staggering. Nevertheless, I will highlight a few of the egregious violations.

The conference report contains numerous provisions for millions of dollars to construct new courthouses in specific locations such as Los Angeles, CA, Richmond, VA, and Seattle, WA. Again, why are these particular sites so deserving of funding, that they receive specific earmarks to fund their construction? Unfortunately, this spending frenzy is not limited to courthouses. Somebody in either the other body or the Senate has concluded that the SSA National Computer Center in Woodlawn, MD deserves \$4.3 million, and the Richard Bolling Federal Building in Kansas City, MO deserves \$26 million are so unique that they should receive specific earmarks.

Furthermore, this conference report irresponsibly expands the definition of what constitutes emergency spending to get around the spending caps. For example, this report designates \$9 million in funding for repairs to the underground garage in the Cannon House Office Building as emergency spending. I do not think this is what the American taxpayer would envision as a true emergency.

This report also spends nearly \$7 million more for salaries and expenses for the Treasury Department than was requested by either the House or the Senate.

The list of spending excesses goes on. This bill provides a staggering \$14.8 million for communications infrastructure, including radios and related equipment, associated with law enforcement responsibilities for the Salt Lake Winter Olympics. This item is but one example of the fiscal abuse surrounding the staging of the Olympic Games in Salt Lake.

This past year, Congressman DINGELL and I requested the General Accounting Office to conduct an audit into Federal financial support for U.S. cities hosting the Olympics. Specifically, we asked the GAO to answer two questions: (1) the amount of federal funding and support provided to the 1984 and 1996 Summer Olympics, and planned for the 2002 Winter Olympics, and the types of projects and activities that were funded and supported, and; (2) the Federal policies, legislative authorizations, and agency controls in place for providing the Federal funds and support to the Olympic Games. What the GAO discovered is that, "at least 24 Federal agencies reported providing or planning to provide a combined total of almost \$2 billion, in 1999 dollars, for Olympic-related projects and activities for the 1984 and 1996 Summer Olympic Games and the 2002 Winter Olympic Games."

I say to my friends, the number is staggering, but what is more shocking,

but not too surprising once an egregious practice begins and goes unchecked, is the way in which Federal funds flowing to Olympic host cities has accelerated. The GAO found that the American taxpayers provided about \$75 million in funding for the 1984 Los Angeles games, by 1996 the bill to the taxpayers had escalated to \$609 million, and for the upcoming 2002 Winter Olympics in Salt Lake City, that bill to American taxpayers is estimated to be \$1.3 billion.

That is outrageous, Mr. President, and it is a disgrace. It is a disgraceful practice to put these pork-barrel projects on this appropriations bill. I say to the Senator from Utah who is on the floor now, if another pork-barrel project that is not authorized for the Olympic games is put on any appropriations bill, I will filibuster the bill until I fail to do so.

I wrote a letter to the Senator from Utah on September 19, 1997. In it I said:

I am writing about the recent efforts to add funds—

This is 1997—

to appropriations measures for the 2002 Winter Olympics in Salt Lake City.

I went on to say:

I recognize that proper preparation for the Olympics is vital. . . . It seems to me, though, the best course of action would be to require the U.S. Olympic Committee, in coordination with the Administration and Congress, to prepare and submit a comprehensive plan detailing, in particular, the funding anticipated to be required from the taxpayers. . . .

Please call me so that we can start work immediately to establish some predictability and rationality in the process of preparing for Olympic events in our country.

That was 1997. In a rather surprising breach of senatorial courtesy, the Senator from Utah never responded to that letter, so I wrote him another letter a year later asking for the same and never got a response.

The GAO now determines that \$1.3 billion—and some of those I will read: \$974,000 for the Utah State Olympic Public Safety Command; \$5 million for the Utah Communications Agency Network; \$3 million to Olympic Regional Development Authority, upgrades at Mt. Van Hoevenberg Sports Complex; \$2.5 million, Salt Lake City Olympics bus facilities; \$2.5 million, Salt Lake City Olympics regional park-and-ride lots; \$500,000, Salt Lake City Olympics transit bus loan, and on and on; \$925,000 to allow the Utah State Olympic Public Safety Command to continue to develop and support a public safety program for the 2002 Winter Olympics; \$1 million for the 2002 Winter Olympics security training; \$2.2 million for the Charleston Water Conservancy District, UT, to meet sewer infrastructure needs associated with the 2002 Winter Olympic Games.

What the Olympic games supposedly hosted and funded by Salt Lake City, which began in corruption and bribery, has now turned into is an incredible pork-barrel project for Salt Lake City and its environs.

Not surprisingly, the GAO found that there was no effective mechanism in place for tracking Federal funding and support to host cities, one thing I tried to do in the letter to the Senator from Utah in 1997. The GAO stated that "in some cases it was difficult to determine the amount of federal funding and support because federal agencies generally did not track or report their funding and support for the Olympic Games." Congress, in some cases, authorized \$690 million of the estimated \$2 billion, with some \$1.3 billion being approved by Federal agencies. However egregious it might be for Congress to approve \$690 million in taxpayers funds—most of which was done through objectionable legislative pork barreling—it is astounding that federal bureaucrats, with absolutely no accountability, have ponied up \$1.3 billion as a regular course of business.

The Ted Stevens Olympic and Amateur Sports Act, named after my good friend and colleague from Alaska, sets out the process by which the United States Olympic Committee operates, and how the USOC goes about selecting a U.S. bid city. Embodied in this act is a uniquely American tenet establishing that the United States Olympic movement, including the bid, and host city process, is an entirely independent, private sector entity. However, as this report points out, the American taxpayer has now become, by far, the largest single underwriter of the costs of hosting the Olympics. Mind you, this is not about private, voluntary giving to the Olympic movement. Nor is it about corporate sponsorships. This is about a cocktail of fiscal irresponsibility, made of congressional pork barreling, and unaccountable Federal bureaucrats.

As I outlined earlier, taxpayer funding of the Olympics has increased dramatically in recent years, as has the purpose of the funding. In the 1984 Summer Olympics in Los Angeles, \$75 million in Federal support—\$75 million versus \$1.3 billion for the Salt Lake City Olympics—was provided. Most notable about this figure, aside from how low it is relative to Atlanta and Salt Lake, is what the money was used for. Of the \$75 million in Los Angeles, \$68 million, or 91 percent, was used to help provide safety and security services during the planned staging of the games. Only \$7 million was for non-security-related services. Providing safety and security support is a proper role for the Federal Government. No one would dispute that the Federal Government should provide whatever support necessary to ensure that the Games are safe for everyone. However, the American taxpayer should not be burdened with building up the basic infrastructure necessary to a city to be able to pull off hosting the Olympic Games.

Clearly, by the time we got to Atlanta, such was not the case.

Other classic examples include \$331,000 to purchase flowers, shrubs and grass for venues and parks around At-

lanta, \$3.5 million to do things like installing of solar electrical systems at the Olympic swimming pool.

As astounding as the Atlanta numbers are, they absolutely pale in comparison to Salt Lake City. Almost \$1.3 billion of Federal funding and support is planned or has already been provided to the city of Salt Lake. And \$645 million—51 percent—is for construction of roads and highways; \$353 million—28 percent—is for mass transit projects; approximately \$107 million for miscellaneous other activities, such as building temporary parking lots and bus rentals; and \$161 million on safety and security.

As of April 2000, the Federal Government planned to spend some \$77 million to provide spectator transportation and venue enhancements for the Salt Lake games. This includes \$47 million in congressionally approved taxpayer funding for transportation systems. Among other things, Salt Lake officials plan to ask the Federal Government for \$91 million to pay for things such as transporting borrowed buses to and from Salt Lake, additional bus drivers, bus maintenance, and construction and operation of park-and-ride lots.

However, as outlined, most of the money taken from taxpayers to pay the bill for the Salt Lake games is going to develop, build, and complete major highway and transit improvement projects, "especially those critical to the success of the Olympic games." This last phrase is vital to understanding the fleece game being played by cities such as Salt Lake City.

It works this way. A city decides they want to host an Olympics to generate tourism and put their hometown on the map. In order to successfully manage an Olympics, community leaders know they will have to meet certain infrastructure demands. They develop their plans, and then, of course, the pork barreling starts.

The GAO makes several recommendations for congressional consideration, including a potential Federal role in the selection of a bid city, a tracking system for funds appropriated, and more direct oversight. Among other things, the GAO also recommends a larger role for OMB in exercising oversight regarding agency activities.

However, I believe there are two fundamental reforms that should take place. The first is budget reform. Appropriations for Olympic activities should occur through the regular budget process, subject to the sunshine of public scrutiny and debate within Congress. Second, the USOC should not consider the bids of cities that do not have in place the basic capacity to host the Olympic games.

What has happened here is what happens in Congress. We start out with a little pork barreling; it gets bigger and bigger and bigger. We saw that recently on the Defense appropriations

bill—\$4 million on the Defense appropriations bill to protect the desert tortoise.

I want to repeat, I will filibuster and do everything in my power to delay any more appropriations bills that have this pork-barrel spending for Salt Lake City. There is a process. There is a process of authorization for these projects. They are conducted by the authorizing committees. Some of them may be worthwhile and necessary. Some of them may deserve to be authorized. Instead, they are stuck into an appropriations bill without scrutiny or without anyone looking at them.

I do not understand how we Republicans call ourselves conservatives and then treat the taxpayers' dollars in this fashion. This is terribly objectionable. It is up to \$1.3 billion. We still have another year, at least, to go. This has to stop.

I am glad we got the GAO study. It is a classic example of what happens with pork-barrel spending in this body. It directly contributes to the cynicism and alienation of the American voter. These are my taxpayers' dollars, Mr. President, as well as the citizens' tax dollars of Utah. I have an obligation to my constituents in the State of Arizona who pay their taxes that their tax dollars should not be spent on this pork-barrel spending.

Therefore, Mr. President, I ask unanimous consent that a list of objectionable provisions for the legislative branch conference report be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OBJECTIONABLE PROVISIONS FOR THE LEGISLATIVE BRANCH CONFERENCE REPORT 106-796 (INCLUDES TREASURY/POSTAL)

ITEMS IDENTIFIED in Report 106-796

EARMARKS

Title I—Department of the Treasury

\$47,287,000 for development and acquisition of automatic data processing equipment, software, and services for the Department of the Treasury.

\$31,000,000 for the repair, alteration, and improvement of the Treasury Building and Annex.

\$29,205,000, for expansion of the Federal Law Enforcement Training Center.

Title II—Other Agencies

Library of Congress

\$4,300,000 for a high speed data transmission between the Library of Congress and educational facilities, libraries, or networks serving western North Carolina.

Russian Leadership Program—\$10,000,000.

Hands Across America—\$5,957,800.

Arrearage reduction—\$500,000.

Mass deacidification—\$1,216,000.

National Film Preservation Board—\$250,000.

Digitization pilot with West Point—\$404,000.

Botanic Garden

Wayfinding signage—\$25,000.

Architect of the Capitol

Replace HVAC variable speed drive motor—\$90,000.

Room and partition modifications—\$165,000.

Replace partition supports—\$200,000.
Lightning protection, Madison building—\$190,000.

*Title IV—Emergency Fiscal Year 2000
Supplemental Appropriations*

Architect of the Capitol

\$9,000,000 for urgent repairs to the underground garage in the Cannon House Office Building.

Title I—Congressional Operations

Replacement of Minton title—\$100,000.

Title IV—Independent Agencies

\$472,176,000 for construction projects at the following locations:

California, Los Angeles, U.S. Courthouse;
District of Columbia, Bureau of Alcohol, Tobacco and Firearms Headquarters;
Florida, Saint Petersburg, Combined Law Enforcement Facility;
Maryland, Montgomery County, Food and Drug Administration Consolidation;
Michigan, Sault St. Marie, Border Station;
Mississippi, Biloxi-Gulfport, U.S. Courthouse;
Montana, Eureka/Roosville, Border Station;
Virginia, Richmond, U.S. Courthouse;
Washington, Seattle, U.S. Courthouse.
Repairs and alterations:
Arizona: Phoenix, Federal Building Courthouse, \$26,962,000.
California: Santa Ana, Federal Building, \$27,864,000.
District of Columbia: Internal Revenue Service Headquarters (Phase 1), \$31,780,000, Main State Building (Phase 3), \$28,775,000.
Maryland: Woodlawn, SSA National Computer Center, \$4,285,000.
Michigan: Detroit, McNamara Federal Building, \$26,999,000.
Missouri: Kansas City, Richard Bolling Federal Building, \$25,882,000; Kansas City, Federal Building, 8930 Ward Parkway, \$8,964,000.
Nebraska: Omaha, Zorinsky Federal Building, \$45,960,000.
New York: New York City, 40 Foley Square, \$5,037,000.
Ohio: Cincinnati, Potter Stewart U.S. Courthouse, \$18,434,000.
Pennsylvania: Pittsburgh, U.S. Post Office Courthouse, \$54,144,000.
Utah: Salt Lake City, Bennett Federal Building, \$21,199,000.
Virginia: Reston, J.W. Powell Federal Building (Phase 2), \$22,993,000.
Nationwide: Design Program, \$21,915,000; Energy Program, \$5,000,000; Glass Fragment Retention Program, \$5,000,000.
\$276,400,000 for the following construction projects:

District of Columbia, U.S. Courthouse Annex;
Florida, Miami, U.S. Courthouse;
Massachusetts, Springfield, U.S. Courthouse;
New York, Buffalo, U.S. Courthouse.

DIRECTIVE LANGUAGE

Title III—General Provisions

Standard buy-American provisions throughout the conference report.

Title II—Other Agencies

Language directing the General Accounting Office to undertake a study of the effects on air pollution caused by all polluting sources, including automobiles and the electric power generation emissions of the Tennessee Valley Authority on the Great Smoky Mountains National Park, the Blue Ridge Parkway and the Pisgah, Nantahla, and Cherokee National Forests. This study will also include the amount of carbon emissions avoided by the use of non-emitting electricity sources such as nuclear power within the same region. The GAO shall report to the

Committees on Appropriations no later than January 31, 2001.

Title III

Language directing that there be no reorganization of the field operations of the United States Customs Service Office of Field Operations which may result in a reduction in service to the area served by the Port of Racine, Wisconsin.

Up to \$2,500,000 for the purchase of land and the construction of a road in Luna County, New Mexico.

\$95,150,000 for the repair, alteration, and improvement of archives facilities, and to provide adequate storage for holdings, \$88,000,000 is to complete renovation of the National Archives Building.

TITLE—DEPARTMENT OF THE TREASURY

\$14,779,000 for communications infrastructure for the Salt Lake City Winter Olympics; \$2,000,000 for Critical Infrastructure Protection; and

\$3,500,000 for Public Key Infrastructure.
Additionally, the conferees include \$500,000 for Customs' ongoing research on trade of agricultural commodities and products at a Northern Plains university with an agricultural economics program and support the use of \$2,500,000 for the acquisition of Passive Radar Detection Technology.

The conferees therefore direct the Treasury Department and Customs to complete this model and to report to the Committees on Appropriations not later than November 1, 2000 on its implementation. In relation to this, the conferees urge the Customs Service to give full consideration to the needs of the following areas for increases or improvements in Customs services: Fargo, North Dakota; Highgate Springs, Vermont; Charleston, South Carolina; Charleston, West Virginia; Honolulu, Hawaii; Great Falls, Sweetgrass-Coutts, and Missoula, Montana; Tri-Cities Regional Airport, Tennessee; Dulles International Airport; Louisville International Airport; Miami International Airport; Pittsburg, New Hampshire; San Antonio, Texas; and multiple port areas in Arizona, New Mexico, and Florida

Title III—Executive Office of the President and Funds Appropriated to the President

As ONDCP reviews candidates for new HIDTA funding, the conferees direct it to consider the following: Las Vegas, NV; Arkansas; Minnesota; North Carolina; and Northern Florida, which have requested designation; Mexico, South Texas, West Texas, and Arizona, New England, Gulf Coast, Oregon, Northwest (including southwest and eastern Washington), and Chicago HIDTAs; and full minimum funding for new HIDTAs in Central Valley, California, Hawaii, and Ohio.

\$3,300,000 for anti-doping efforts of the United States Olympic Committee.

Title IV—Independent Agencies

\$3,500,000 for the design and site acquisition of a combined law enforcement facility in Saint Petersburg, Florida.

\$700,000 for the design of a 10,000-square-foot extension to the Gerald R. Ford Museum.

GRAND TOTAL: OVER \$1.4 BILLION.

Mr. MCCAIN. Mr. President, I yield the floor.

Mr. GRAHAM addressed the Chair.

The PRESIDING OFFICER. The Senator from Florida.

Mr. GRAHAM. Mr. President, am I correct that I have 20 minutes reserved at this time?

The PRESIDING OFFICER. The Senator is correct.

The distinguished Senator from Florida is recognized.

Mr. BENNETT. Will the Senator yield for an inquiry?

Mr. President, may I ask how much time I have left under my control?

The PRESIDING OFFICER. The distinguished Senator from Utah has 45 minutes.

Mr. BENNETT. I thank the Chair. I will use time when the Senator from Florida has finished.

The PRESIDING OFFICER. The Senator from Florida.

Mr. GRAHAM. Mr. President, I appreciate the courtesy of the Senator allowing me to speak on another matter during the debate on the legislative branch conference report.

(The remarks of Mr. GRAHAM are located in today's RECORD under "Morning Business.")

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. BENNETT. Mr. President, I listened with interest when the Senator from Arizona spoke about the GAO report with respect to the Olympics. I believe the Senator from Arizona has made a significant contribution and is attempting to move the Congress in a direction in which we should go with respect to the Olympic games. I think he has raised appropriate concerns. I can be specific about some of them. I will not attempt to be specific about them all because they are quite lengthy.

For example, the \$14.8 million for communications infrastructure to which he objects in the Department of the Treasury portion of the conference report before us was inserted there at the request of the Secret Service, which told the Appropriations Committee that was the amount they required. This was not something that was asked for by the Salt Lake organizing committee or the Senator from Utah specifically. It came from the Department of the Treasury.

That is true of some of the other items. But rather than getting bogged down in a debate over the appropriateness of this amount or that amount, every one of which has had that debate in one form or another in the process of getting to the conference report, I want to address the issue of the GAO report and the comments that the Senator from Arizona made about it.

He said, very accurately, that the Federal role with respect to the Olympic games has increased dramatically from the \$75 million that was appropriated in 1984 for the Olympics in Los Angeles to the amount that has now been appropriated and is going to be appropriated for the Olympics in Salt Lake City, showing the step-up from Los Angeles to Atlanta to Salt Lake City.

Inasmuch as Washington, DC, has announced its intention to bid on the Olympic games in either 2008 or 2012, I think now is an appropriate time, as the Senator from Arizona has suggested, to talk about the role of the Federal Government with respect to the Olympic games.

The GAO report makes this comment with which I am sure the Senator from Arizona would agree and with which I agree. I think it is a very appropriate comment. It says:

Despite the lack of a specifically authorized Government-wide role in the Olympic games, the Federal Government has, in effect, become a significant supporter of the Games when hosted in the United States. Accordingly, Congress may want to consider enacting legislation to establish a formal role for the Federal Government and a Government-wide policy regarding Federal funding and support for the Olympic Games when hosted in the United States.

I think that is a very sound recommendation on the part of GAO. It resonates with the concerns raised by the Senator from Arizona.

I lived in Los Angeles in 1984 and watched the Olympic games from the standpoint of a resident. Let me add a little history to the history that has been referred to on the floor this afternoon.

In 1984, as I recall—I could be wrong, but my memory tells me—Los Angeles was the only city bidding for the Olympic games. The games were seen as an economic disaster for any city unfortunate enough to end up as the host. There were examples all over the world of cities that had hosted the Olympic games and ended up with huge deficits which took them years and years to pay off. Nobody wanted the Olympic games. Los Angeles got the Olympic games almost by default. They hired an extraordinary individual named Peter Ueberroth to serve as the manager of that event, and Peter Ueberroth did something that was both very good and, in retrospect, maybe not so good for the Olympic movement. He brought in for the first time on a serious basis big money sponsors.

I remember reading in the Los Angeles Times after the Olympic games were over that there was a surplus in the Olympic account of \$30 million that would be turned over to the city of Los Angeles. There were further newspaper stories that said: No, the surplus is \$60 million. No, we have looked through the books, the surplus is \$100 million. I don't remember now what it ended up being. But it was, for the time, a comparatively staggering amount of money. There were jokes made in Los Angeles about the fact that everything was available as the official filled in the blanks.

I remember going with my family to watch the women's marathon. It was the only event we attended in the Los Angeles 1984 Olympic games because it was the only one that was free. We couldn't afford to buy the tickets at that time. As the father of six children, I think other people can understand that particular problem. We stood there on the sidelines and watched the Olympic runners come down. We cheered for the Americans. We were excited. Then after it was over, in the spirit of the time, one of the officials of the games turned to us and said, Do you want an official Olympic sponge?

They had handed sponges filled with water to the runners as they went by, and the runners cast them off.

Everything was an "official Olympic" this or that and had a price tag attached to it. I remember Kodak was very concerned because Peter Ueberroth put the official Olympic film up for bid and Kodak said: You can't possibly have an official Olympic film that isn't an American film. Ueberroth said: Make your bid. Fuji Film outbid Kodak. We had over the Olympics in Los Angeles a large green blimp with "Fuji Film" on it. Fuji Film was the official Olympic film for the 1984 Los Angeles Olympics.

As I say, the number came out to be ultimately something close to \$100 million. It transformed the Olympic movement. From that moment forward, everybody wanted to be the host city for the Olympic games. And everybody assumed that if they could somehow get that plum for their city, they would receive a very substantial economic payoff. But once you start down that road psychologically, a number of interesting things happen. And an interesting thing happened to the Olympic movement.

Mr. KENNEDY. Mr. President, will the Senator be good enough to yield for a moment for a question?

Mr. BENNETT. Yes.

Mr. KENNEDY. I note that we are going to hear from former Vice President Quayle at 6 p.m., and Senator STEVENS wanted to address the Senate. Just as a point of information, I welcome the chance to be able to address the Senate tomorrow. If the Senator is going to continue for a while, if he could let us know, because I wanted to have the opportunity to hear from Mr. Quayle and also to accommodate Senator STEVENS. The Senator is addressing a very important matter that is relevant to the remarks of the Senator from Arizona. Could he give us any indication?

Mr. BENNETT. I thank the Senator from Massachusetts for his inquiry. Since I have no prepared remarks, I am responding directly to the remarks of the Senator from Arizona. I can't put an exact timeframe on it. I will try to restrain my enthusiasm for the sound of my own voice and finish in maybe 15 or 20 minutes—something in that timeframe. I will do my best to do it faster. I understand the Senator from Alaska no longer requires any time. So the Senator from Massachusetts could speak right up to the time we go into the session with the former Vice President.

Mr. KENNEDY. I thank the Senator.

Mr. BENNETT. Mr. President, if I may go back, the reaction out of Los Angeles caused the leaders of the Olympic movement to also get dollar signs in their eyes, and the Olympics began to expand. The assumption was, if the costs go up at the International Olympic Committee or the costs go up at the U.S. Olympic Committee, no problem; we will just sell a few more

sponsorships and be able to pay for it without any difficulty.

So one started chasing the other, and the number of sponsorships sold kept going higher and the costs kept going higher.

One aspect of the cost going up has been the addition of new sports. Interestingly enough, the number of sports that will participate in the Salt Lake City Olympics in 2002 is significantly higher than the number that participated at Lillehammer in, I believe, 1994. In just that short period of time, the cost of putting on the Olympics has been expanded by a significant percentage—I do not have the number currently available—by adding additional sports. The organizers of the Salt Lake Olympic Committee have told me that even though their budget is very close to the budget at Lillehammer, their costs are substantially higher because of the additional sports that have been added.

Somewhere along the line, someone lost track of what happens to all of this. Again, the head of the Salt Lake organizing committee, Mit Romney, has told me that the budget he was handed from the U.S. Olympic Committee implied more sponsorships for the winter Olympics than Atlanta had for the summer Olympics in 1996. He has to go out and sell those sponsorships now because the budget has built into the assumption that money will be there. He is still approximately \$40 million or \$50 million shy of being able to cover his budget even though he has outsold the sponsorships that went into Atlanta. He has more sponsorship money coming from Atlanta for the winter games, which are less popular than the summer games, and he is still money short.

That is what has happened as everybody, reacting to what happened in Los Angeles in 1984, has assumed that the Olympics are a pot of gold. They are clearly not a pot of gold. And we are getting to the point where we may be back to the Los Angeles games when no city wanted to host it because they would end up with a major deficit.

I said to Mit Romney: Will we have a deficit in Salt Lake? He said: No, we will not have a deficit because, if absolutely necessary, we will cut back to whatever amount of money we have.

We don't want to have America host Olympics that seem to be second class by comparison to the rest of the world. But financially we have no choice if we can't close that gap.

I believe Mit Romney will be able to close that gap. I believe he will be able to bring it down so that we will have an exact meeting of expenses and revenues.

But in this whole picture comes the question that has been raised by the Senator from Arizona: What is the role of the Federal Government? Increasingly, the Federal Government plays an important role in the Olympics because, increasingly, as the Olympics get bigger and bigger, with more and

more nations, more and more athletes, and more and more opportunities for international terrorism, they become a bigger and bigger problem for the Federal Government.

I think the whole question raised by the Senator from Arizona and by the GAO report as to the formalization of the Federal role is a very legitimate question. I think the proposal in the GAO report that was endorsed by the Senator from Arizona that there be a formal involvement from OMB and a formal process within the Congress to track these appropriations is a right and proper proposal. We probably should have done it after the Atlanta Olympics when we had the first indication that this was what was going to happen. We didn't.

I am perfectly willing to join with the Senator from Arizona to craft a way to do this once the Salt Lake City Olympics are over. If Washington, DC, or some other American city gets the Olympics at some point in the future, this process will be in place. I think it is the responsible thing to do. I applaud the Senator from Arizona in helping move in that direction.

I point out, as the GAO report says, with respect to the \$2 billion figure used by the Senator from Arizona:

According to Federal officials, most of these funds would have been awarded to these cities or States even if they had not hosted the Olympic games although the funds could have been provided later if the games were not held.

Let me talk specifically about the two largest items in that \$2 billion figure that relate to Salt Lake City: the mass transit in downtown Salt Lake City and the renovation of I-15, the interstate highway that runs through Salt Lake City. Both projects were properly authorized, properly funded, under established congressional procedures with respect to transportation activities. I-15 was 10 years beyond its designed life when renovation construction began. The project was outlined for 9 years under standard construction procedures.

The State of Utah, working with the Federal Highway Administration, came up with a method of doing it which is called design/build; that is, you design it while you are building it. Instead of designing it all first and then building it, you do it simultaneously. In the process, they cut the time from 9 years to 4½. They also cut the cost by close to \$1 billion.

Yes, it will be done in time for the Olympics. Yes, it will enhance the Olympics. And GAO has included its total in its calculation of the cost of the Olympics. But it had to be done. It was a logical expense of the highway trust fund. It was funded in the normal fashion through the highway trust fund, and because of the pressure the Olympics put on it in terms of time, we now have a pilot project with design/build that is coming in ahead of schedule and under budget. We are saving taxpayers money by virtue of the pres-

sure that the Olympics put on this highway project.

There is absolutely no question that the money would have been spent even if the Olympics had not come to Salt Lake City. It may not have been spent as wisely or as prudently as it is being spent if we had not had the pressure of the Olympics.

The second issue is the mass transit system in Salt Lake City. The mass transit system in Salt Lake City, again, stood in queue with all of the other mass transit systems that were being reviewed by the Department of Transportation. It was approved in the Clinton administration as an appropriate transit program for a metropolitan area experiencing tremendous growth and congestion. It is interesting to me to note that the current construction of mass transit in Salt Lake City is going forward even though there was no assurance that it would be completed in time for the Olympic games. In other words, the Department of Transportation approved the full funding grant agreement for that spur of the mass transit system with the full knowledge that it might not be available for the Olympics.

Now, the contractors who were building it insisted it would be available for the Olympics. It certainly will help the Olympics. But it was not approved as an Olympic project. It was not examined as an Olympics project. It was not evaluated by the Department of Transportation as an Olympics project. Its cost, however, is included in the GAO study as an Olympics project because it occurred in the period where things were being spent in Utah.

I make a footnote with respect to I-15, the interstate highway. It is being funded largely by State funds. The Federal dollars only became available after TEA-21 passed in 1998 and the State decided we couldn't wait. Had we not had the Olympics and waited for full Federal participation in this portion of the interstate, the State of Utah would be paying less than it is now. So the State of Utah has put up a substantial sum of money by virtue of this for this infrastructure. We do not complain because we will have the benefit of that infrastructure after the games are over. However, I want to make it clear to any who are keeping score that if you take the \$2 billion figure to which the Senator from Arizona referred that is part of the GAO report and break it down, you come up with a much smaller figure for the Federal participation in the Olympics games that has nothing to do with anything else; that is, you have a much smaller figure for Federal expenditures that are solely Olympics expenditures than anything like the \$2 billion.

Now, back to the earlier point, that we must address the question of the Federal role. Let us look what the Olympics do to any country that gets them in today's world. My wife and I went to Nagano, Japan, to see the Olympics put on in Japan. We read the

Japanese newspapers. We didn't come up with a firm figure, but the Japanese newspapers speculated that the total amount that Japan as a country spent in order to put on the Olympics—the lowest figure I read was \$13 billion; the highest figure I read was \$18 billion, given the kind of accounting sleight of hand that accompanied the Japanese Olympics. I think the higher figure may very well be the accurate one. Even if we take the lower figure, Japan decided they could not put on an Olympics worthy of world attention without making such infrastructure improvements as to spend ultimately \$13 billion. I participated in the benefits of that. I rode the bullet train from downtown Tokyo to Nagano where the Olympics were held. They decided they couldn't put on the Olympics without putting in a bullet train.

We, in the United States, view the Olympics as basically a sporting event. The rest of the world views the Olympics very differently, and once a city in a country in the rest of the world is awarded the Olympics, the entire national government of that country becomes engaged. We need to think this one through as a nation. If we ever want to hold the Olympic games in the United States again and have the games be presented to the world on anything like the level that the world has come to expect for the Olympics, we are going to have to face the fact that the Federal Government must be involved in a formal kind of way.

The GAO comments about this just growing upon us are correct and a formal examination of the American Federal Government participation in the Olympics is overdue. The fact is, now no city in this country can bid for, accept, and put on the Olympic games without significant, maybe even in the view of the Senator from Arizona, massive Federal support. The Clinton administration has recognized that. I have been a long critic of the Clinton administration in a number of areas, but in this area I must say that the Clinton administration has stepped up to the plate and supported absolutely everything that has to be done to see that the Olympics are put on in an appropriate way.

I salute the people in the OMB with whom we have worked, the people in the White House staff with whom we have worked in a collaborative way to bring this all together to see that we will have a responsible Olympic games.

The Olympic games in Salt Lake City in 2002 are going to be fabulous. We have the best mountains, the best snow, the best facilities. It is going to be a fabulous experience for the entire world, and all Americans are going to be very proud of the job that the Salt Lake Olympic Organizing Committee will do in putting that on. But the Salt Lake organizing committee could not do it without the kind of support that has been provided by all of the Federal agencies who have been called upon in the various appropriations bills that have gone through.

As we look to the future and anticipate the possibility that at some point some other American city will either gain the summer games, as Atlanta did, or the winter games, as Salt Lake City did, we should put in place the recommendations of the GAO and recognize right up front that it is a national effort, it is a Federal responsibility, as well as a city responsibility, and perform as every other country in the world performs with respect to this particular opportunity.

If we decide as a Congress that we do not want Federal participation in the Olympic games, make that decision clear, then no American city will ever host the Olympic games again because no American city can ever afford the kinds of things that are required.

I thank the Senator from Arizona for raising this issue, for bringing us to an understanding of the importance of the recommendations that the GAO has made, and for giving me the opportunity to give these specifics about the \$2 billion figure. The Federal Government, in fact, will spend far less than that figure, far less than \$1 billion, far less than however many hundreds of millions of dollars. I do not know the number. I do not know anybody who does. I will try to find it out and bring it to the floor at some point. It will be less than any other federal government has spent to bring the Olympics to their host country, but it demonstrates to us that we have to have the kind of planning and coordination for which the Senator from Arizona calls.

I thank the Senator from Massachusetts for his indulgence. I ask how much time I have remaining.

The PRESIDING OFFICER. The distinguished Senator from Utah has 18 minutes remaining.

Mr. BENNETT. Mr. President, I have nothing further to say. I probably should not have said as much as I did. If there is no Senator seeking recognition, I suggest the absence of a quorum and request that it be charged to both sides equally.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BENNETT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNETT. Mr. President, I have had brought to my attention since I finished my extemporaneous remarks some information about the funding of the Olympics that I would like to now share and put into the RECORD.

This is a draft statement that was prepared for Mit Romney. I do not want to put these words in his mouth until he has had an opportunity to review it. It has come from his staff. I believe it is accurate. I will share some of this information with you.

First, Federal spending for activities directly associated with the games is

entirely appropriate when it is within traditional areas of public responsibility. Example: Two-thirds of the costs are for public safety activities, such as providing counterterrorism support. Other areas where the Government is involved include visas, customs, transportation to the public, and weather information infrastructure—all traditional governmental responsibilities.

The statement says the Olympic games are essentially a mission of peace entirely consistent with the objectives of our country and recognizing that the Government spends billions of dollars to maintain wartime capability, it is entirely appropriate to invest several hundred million to promote peace. That is an editorial comment.

With respect to the funding and the GAO report, there are two types of unrelated spending combined under the term "Federal funding." First is spending actually required to host an Olympic games; and, second, spending on projects the Government would have funded whether or not the Olympics occur. I have already talked at great length about the second aspect—funding that would have been spent regardless of whether or not the Olympics have occurred.

Direct Olympics spending; that is, spending that occurs solely because of the Olympics, as accounted in GAO's report, is about \$254 million, not the \$1.3 billion that was in the headlines. I repeat that: About \$254 million is the direct spending, and it goes for the items that are referred to up above—visas, customs, transportation, weather information and, of course, security and counterterrorism, as indicated by the \$14.8 million to which the Senator from Arizona referred that was requested by the Secret Service.

I add one other comment to this. The Senator from Arizona talked about future appropriations. We are pretty much over the hump with this year's appropriations. We cannot spend money in fiscal 2002 for Olympic games that are going to be held in February of 2002. So the 2001 fiscal year budget, which we are involved in here, is the big-ticket item.

Once we are past this budget cycle, there will be some additional funds in the next year, but they will be much smaller than the funds that are included this year. I say to my colleagues, I know of no funds in the 2001 bills that are yet to come before us that have not, in fact, been authorized in the appropriate procedure to which the Senator from Arizona referred.

So, Mr. President, I speculated as to what the number was in my extemporaneous remarks. I have now had the number given to me. The actual number of Olympics-only Federal spending is in the neighborhood of \$250, \$254 million. I make that additional correction to the RECORD.

EXPANSION OF CHICAGO HIGH-DENSITY DRUG TRAFFICKING AREA

Mr. FITZGERALD. Mr. President, I would like to take this opportunity to engage the Chairman of the Treasury and General Government Appropriations Subcommittee in a brief colloquy.

Mr. CAMPBELL. Yes.

Mr. FITZGERALD. My state has an emerging methamphetamine problem, which is an unmet need of the High Intensity Drug Trafficking Areas program. To tackle this problem successfully, Congress should provide funding in fiscal year 2001 to implement the expansion of the Chicago High Intensity Drug Trafficking Area to the Southern and Central Districts of Illinois.

Over the last three years, seizures of methamphetamine laboratories in Illinois have increased by 925 percent. In 1999 alone, 246 methamphetamine laboratories were seized in Illinois (more than all previous years combined), and methamphetamine-related crime in the state is at an all-time high, according to the Illinois State Police. If this trend continues, Illinois can expect to see an exponential growth of methamphetamine activities in the next two or three years, similar to what has occurred in Kansas, Missouri, Arkansas, and Iowa.

I recognize that the final version of the Treasury and General government Appropriations Act for fiscal year 2001 includes an additional \$14,500,000 to expand existing HIDTAs or fund newly designated HIDTAs. I would like to ask the Chairman a question: is it your expectation that a portion of these funds will be used to implement the expansion of the Chicago HIDTA to the Southern and Central Districts of Illinois?

Mr. CAMPBELL. Yes, that is my expectation.

NATIONAL DRUG-FREE WORKPLACE ALLIANCE

Mr. KYL. Mr. President, I ask that I be allowed to enter into a colloquy with the distinguished Chairman of the Treasury and General Government Subcommittee, Senator CAMPBELL, regarding the importance of the National Drug-Free Workplace Alliance.

Mr. CAMPBELL. I understand the Senator's interest in this area.

Mr. KYL. I would like to take a few minutes to describe the importance of the National Drug-Free Workplace Alliance. The goal of the Alliance is to promote and assist the establishment of drug-free workplace programs and provide comprehensive drug-free workplace services to American businesses. As you know, drug abuse is prevalent in the American workplace. One in 12 employees uses illegal drugs. Equally troubling is that drug and alcohol abusers file about 5 times as many workers compensation claims as non-abusers, and 47 percent of all industrial accidents in the United States are related to drugs and/or alcohol. The Alliance will not only serve as a valuable resource to businesses, but also to the many organizations across the country

devoted to drug free workplaces. Two such organizations in my state, Arizonans for a Drug-Free Workplace and Drugs Don't Work, would greatly benefit from working with the Alliance.

Mr. CAMPBELL. The Subcommittee is increasingly aware of the problems that drugs pose in the workplace. Helping businesses to address such a problem will greatly benefit our communities and children. I look forward to working with my colleague to address your concerns.

Mr. KYL. Once again I would like to thank the distinguished Chairman.

Mr. FEINGOLD. Mr. President, I rise to oppose this conference report on the legislative branch appropriations bill. The reasons for my opposition have much to do with the process by which this conference report has come to us. As I said in my statement this May during debate on the motion to proceed to the foreign operations appropriations bill, the character of the Senate has been changing. This conference report is yet another example of that change. And the change has not been for the better.

The Senate sent to conference a \$2½ billion legislative branch appropriations bill. The House majority leadership took that conference on a relatively modest bill and shoved into it a \$55 billion tax cut and a \$30 billion appropriations bill for the Treasury Department, the Postal Service, the Executive Office of the President, and certain independent agencies. This is an abuse of the powers of the majority.

Mr. President, the Senate may be calloused to the accelerating number of abuses that we have witnessed in the past few years. And this growing indifference may have given some comfort to those who are spearheading this particular offensive.

But, Mr. President, there is a facet to this latest effort that makes it especially worthy of opposition. For adopting this conference report, now shielded from amendment, removes the opportunity to force an open debate of a \$3,800 pay raise for every Member of the Senate and the House of Representatives.

By bringing the Treasury-Postal appropriations bill to the Senate floor for the first time in this conference report, without Senate floor consideration, the majority prevents anyone from offering an amendment on that bill to block the pay raise. The majority makes it impossible even to put Senators on record in an up-or-down vote directly for or against the pay raise. The majority has thus perfected the technique of the stealth pay raise.

And the majority also makes it impossible to link this congressional pay raise directly to other pay issues of importance to the American people. With this abuse of the rules, the majority makes it impossible to consider, among other things, an amendment that would delay the congressional pay raise until working Americans get a much-needed raise in the minimum wage.

The majority leadership thus appears to believe that cost-of-living adjustments make sense for Senators and Congressmen, but that cost-of-living adjustments do not make sense for working people making the minimum wage.

The abuse of the process that brings us here today prevents the Senate from rectifying this injustice. If the Senate were considering the regular Treasury-Postal appropriations bill, a Senator could offer an amendment that would point out inequities like this. And that, in the end, might help explain why the majority is using this procedure today. That might explain why we are not considering the regular Treasury-Postal appropriations bill, but are considering an unamenable conference report.

This unamendable conference report culminates the technique of the stealth pay raise. As my colleagues are aware, it is an unusual thing to have the power to raise our own pay. Few people have that ability. Most of our constituents do not have that power. And that this power is so unusual is good reason for the Congress to exercise that power openly, and to exercise it subject to regular procedures that include debate and amendment.

The question of how and whether Members of Congress can raise their own pay was one that our Founders considered from the beginning of our Nation. In August of 1789, as part of the package of 12 amendments advocated by James Madison that included what has become our Bill of Rights, the House of Representatives passed an amendment to the Constitution providing that Congress could not raise its pay without an intervening election. Almost exactly 211 years ago, on September 9, 1789, the Senate passed that amendment. In late September of 1789, Congress submitted the amendments to the states.

Although the amendment on pay raises languished for two centuries, in the 1980s, a campaign began to ratify it. While I was a member of the Wisconsin State Senate, I was proud to help ratify the amendment. Its approval by the Michigan legislature on May 7, 1992, gave it the needed approval by three-fourths of the states.

The 27th amendment to the constitution now states: "No law, varying the compensation for the services of the senators and representatives, shall take effect, until an election of representatives shall have intervened." Now, today's action does not violate the letter of the Constitution, because it is the result of a 1989 law that provides for a regular cost-of-living adjustment for congressional pay. But stealth pay raises like the one that the Senate allows today certainly violate the spirit of that amendment.

Mr. President, this practice must end. To address it, I intend to introduce legislation that ends the automatic cost-of-living adjustment for congressional pay.

The conference report before us today took its final shape just before the August recess, during what were reported to be all-night, closed-door meetings. The House majority leadership then tried to muscle this conference report through the House on the day before the recess. The bill survived a procedural vote by just four votes, 214 to 210, with Representatives anxious to begin their August recess, the House leadership decided to postpone further action until this month.

The conference report before us today includes the Treasury Postal bill. The Senate never had a chance to consider the Treasury Postal bill that is now part of this conference report. The Senate Appropriations Committee ordered the bill reported on July 20. It is available for Senate consideration as a separate bill.

This conference report on an appropriations bill also includes a repeal of the telephone excise tax. Now repealing the telephone tax is probably the best tax cut idea that we will get in this Congress. I voted to repeal the telephone tax during consideration of the estate tax bill.

But that was a tax bill. Today, we are being asked to enact that tax cut on an appropriations bill. A tax cut that will cost \$55 billion over the next decade should not be added in the middle of the night in a conference on a \$2½ billion appropriations bill.

As well, the conference report also makes budget process law changes. Section 1002 of the conference report changes the limits on outlays set in the current budget resolution for defense and non-defense spending. It shifts \$2 billion from non-defense spending to defense spending. Making this budget process change violates the rules. Section 306 of the Congressional Budget Act prohibits including budget process changes like this in a bill that is not a budget process bill.

Some may argue that if we do not enact this conference report with this abuse of the process, then the leadership will confront us with an even greater abuse of process in the form of an even larger omnibus appropriations bill. Even were that so, my colleagues, we here cannot and must not give the leadership a blank check to include any matter that they choose. And we most certainly can demand that Congress do what we can to ensure that we get no pay raise until such time as Congress has enacted a raise in the minimum wage.

This is a matter of principle, because this conference report does not honor the principles of debate and amendment that undergird the rules of this Senate.

And this is a matter of fairness, because this conference report allows a \$3,800 pay raise for Senators and Congressmen, before the Congress has enacted a \$1,000 pay raise for working Americans making the minimum wage.

The majority has sought to prevent votes on this pay raise. By preventing

votes on amendments, they have made this final vote on this conference report the single vote that will allow the congressional pay raise to happen. A Member who wants to prevent a congressional pay raise before we have a raise in the minimum wage has this one opportunity to vote against it.

It is for these reasons that I will vote against this conference report.

MORNING BUSINESS

Mr. BENNETT. Mr. President, I ask unanimous consent there now be a period for the transaction of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRESCRIPTION DRUGS: IN THE BIG TENT OR A SIDE SHOW

Mr. GRAHAM. Mr. President, this is the third in a series of five statements I am making on the issue of providing a prescription drug benefit for senior Americans. This continues the discussion I began last Thursday on the subject of how to modernize the Medicare program into one which will meet the needs of 21st century seniors in America.

Last week, we discussed the need to fundamentally reform the Medicare program by shifting its focus from treating acute illness to promoting and maintaining wellness, essentially converting the Medicare program from one which has an orientation towards dealing with the disease or the results of an accident after they have occurred—a sickness system—to one that attempts to maintain the highest quality of health—a wellness system.

We discussed the fact that access to affordable prescription medications is crucial to the success of a health care system based on keeping seniors healthy, well, and active. And virtually every modality that is established to maintain the highest state of good health for seniors involves access to prescription drugs.

Additionally, we discussed that, in the long run, providing seniors with access to those components of an effective wellness system, such as preventive screening, medical procedures, and appropriate prescription drug therapies, can yield significant savings for the Medicare program and thus for the American taxpayer as well as providing the enormous benefits to the senior of good health and the active lifestyle that that will allow.

Let's look at the case of osteoporosis. Osteoporosis is a disease characterized by low bone mass, deterioration of bone tissue, leading to bone fragility and increased susceptibility to fractures, particularly of the hip, spine, and wrist.

Osteoporosis is a major public health threat for 28 million Americans. Eighty percent of those 28 million Americans are women. Osteoporosis is responsible

for more than 1.5 million fractures annually in the United States. Included in this 1.5 million are 300,000 hip fractures, 700,000 vertebra fractures, 250,000 wrist fractures, and more than 300,000 fractures in other parts of the anatomy. Estimated national direct expenditures, including those for hospitals and nursing homes, for osteoporosis and related fractures is \$14 billion a year.

The National Academy of Sciences and the National Institutes of Health agree that osteoporosis is highly preventable. A combination of a healthy lifestyle, with no smoking or excessive alcohol use, and bone density testing and medication and hormone therapies can keep men and women prone to this disease well and free of the debilitating, sometimes fatal, effects of fractures. Seniors and near seniors must have access to screening, counseling, and appropriate medication to keep this "silent killer" at bay.

One of the most common prescriptions for osteoporosis prevention is a treatment referred to as Fosamax. The annual cost of Fosamax is approximately \$750. Contrast that with a hip replacement where the surgery and followup therapy will cost the Medicare program and taxpayers over \$8,000.

It makes both programmatic and economic sense that these preventive interventions be included under the big tent of Medicare. They should be treated as all of the other benefits that 98 percent of those eligible for Medicare enjoy today.

Let me restate the fact that Part B of Medicare—that is the part that, among other things, covers physicians and outpatient services—is a voluntary program that seniors must elect to get the benefits and to pay the monthly premiums for participation in Part B. How many seniors in America who are eligible for that component of Medicare in fact make that election and pay that monthly fee to get those benefits? The answer: 98 percent of eligible seniors voluntarily elect to participate in Part B of Medicare.

Seniors trust and rely on Medicare. As a result, virtually all who are eligible to join voluntarily elect to do so. When the Federal Government decides that it should participate in providing a prescription drug benefit for American seniors, that benefit is best placed under the same big tent of the Medicare program.

Now, this is not a unanimous opinion. Some of my Senate colleagues believe that a prescription drug benefit should be left outside the tent, left to a sideshow status, if you will. In order to determine which way is truly the best way, the main tent of Medicare or a sideshow, it is important to answer some key questions.

Question 1 is what do the customers, the seniors and the people who live with disabilities, what do they want? How would they prefer this program to be organized and administered? We all know the old saying that the customer

is always right. This will surely be true for the new drug benefit that we will offer to Medicare beneficiaries. Congress must learn to ask and to listen—in health care terminology, to first diagnose before we proceed to prescribe.

This should have been the lesson learned from Congress' ill-considered decision to add catastrophic coverage to Medicare in the late 1980s. We prescribed before we listened. When we listen, seniors tell us they like the Medicare program. Ninety-eight percent of them voluntarily elect to participate. In 1998, the Kaiser Family Foundation found that 74 percent of seniors surveyed believed that Medicare was doing a good job serving their interests.

Seniors tell us that while Medicare is not perfect, it is convenient, affordable, and dependable. They never worry that the benefits will suddenly disappear or become too expensive. They like the universality of the Medicare program. No matter where they are—in Kansas, in Utah, or in Florida—the benefits are available and affordable. They don't want to worry, as they would in some plans, that an income of \$16,000 a year would make them "too wealthy" to qualify for help.

Including the prescription drug benefit in Medicare would offer peace of mind. But don't take my word for it. Another recent poll conducted by the Kaiser Family Foundation and Harvard University showed that when seniors are given the choice of having the Federal Government administer a Medicare prescription drug benefit versus the alternative of having the Government help to pay for private insurance plans, 36 percent chose the private option; 57 percent of the respondents preferred to have the benefit as part of an expanded Medicare program.

We hear over and over in statements on the Senate floor and occasionally even in political ads that Americans will be better off if prescription drug benefits are not made part of the Medicare program. But when we listen to the people, not to just political rhetoric, what we find is that Medicare beneficiaries do not complain about Medicare. Rather, we hear a desire to expand Medicare to include real prescription drug benefits. We should listen to these voices of the customers.

Question 2: Will a true Medicare benefit or a program that relies on private and State insurers be the most reliable? Predictability, sustainability, reliability are important qualities for America's seniors. The bill I have introduced with Senators ROBB, BRYAN, CONRAD, CHAFEE, and JEFFORDS assures that all beneficiaries, including those in underserved and rural areas, would be guaranteed a defined, accessible, affordable, and stable benefit for the same monthly premium nationwide. Medicare would subsidize benefits directly and pay for prescription drug costs as any other Medicare benefit.

In contrast, the plan that is being proposed by Governor George W. Bush and by House Republicans and by some